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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
1985

federal register

Privacy Act Issuances
1989 Compilation

Volume V

Systems of Records
Agency Rules

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Privacy Act Issuances
1989 Compilation

Volume V

Systems of Records
Agency Rules

Published by

Office of the Federal Register

National Archives and Records Administration

PRIVACY ACT ISSUANCES, 1989 COMPILATION
VOLUME V

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PRIVACY ACT ISSUANCES, 1989 COMPILATION

EXPLANATION

This multivolume biennial compilation contains:

- —descriptions of systems of records maintained on individuals by Federal agencies which were published in the FEDERAL REGISTER as required by the Privacy Act of 1974;
- —rules of each agency which set out the procedures that agencies will follow in helping individuals who request information about their records.

AUTHORITY

This compilation of Privacy Act Issuances is published by the Office of the Federal Register in compliance with the requirements of the Privacy Act of 1974 (5 U.S.C. 552a).

CUTOFF DATES

This compilation reflects rules and notices of systems of records in effect as of December 31, 1989.

TITLE AND FORM OF CITATION

The official title of this publication is "Privacy Act Issuances, 1989 Compilation". To cite a system of records or rule in this publication, the form of citation would be:

Privacy Act Issuances, 1989 Comp., Volume ..., p....

HOW TO USE THIS COMPILATION

Identify the system you think may contain information about you and the agency that maintains those records.

Read the agency's regulations following its systems of records to determine the procedures you must follow to obtain information from that agency.

INFORMATION YOU CANNOT GET

There are limitations to the kind of information you can get. The agency may refuse to let you see information that—

- —Relates to national security;
- —Could reveal a confidential source; or
- —Could be used to give people an unfair advantage on a government examination.

Generally, an agency's system notices (description of its systems of records) and its regulations will describe that agency's limitations on release of information.

SOME GENERAL REQUIREMENTS

How To Make a Request

In most cases you can inquire in person or by mail. It will be easier for the agency to help you, and your request will be handled more quickly, if you follow these procedures:

1. Give your full name and address, and sign your request.
2. Specify the system(s) of records you believe contain information about you.
3. Provide the relevant information required by the system you are interested in. For example, if you are inquiring about any contract you have had with the Government (loan application, contract, grant application, etc.), give the date and subject matter, and any identifying numbers that appear on documents you received.
4. Address your request to the official or person and address given in the system entry.
5. Print the words "PRIVACY ACT REQUEST" on the front of the envelope.

Proof of Identity

The agency will need some proof of your identity such as—

1. A document with your full name and address;
2. A document that has your signature and/or your photograph such as a passport, medicare card, or unemployment insurance book.
3. Any other identification specified in the system entry or regulations. If your request is by mail, you should include copies of whatever documents the agency requires to prove your identity. There is a penalty for making false statements.

Fees

The agency may charge you a fee for a copy of your records, but they may not charge you for the time and expense of locating them. The agency's rules usually state how much the fee is.

GENERAL INQUIRIES

This volume was edited by Gladys Queen Ramey under the direction of Richard L. Claypoole.

For further information concerning the technical aspects of this volume, call 202-523-3187. Written comments or suggestions should be addressed to the Director, Office of the Federal Register, National Archives and Records Administration, Washington, D.C. 20408.

Martha L. Girard,
Director, Office of the Federal Register.

PRIVACY ACT ISSUANCES—1989 COMPILATION

The Office of the Federal Register has issued its 1989 Compilation of Privacy Act Issuances as required by 5 U.S.C. 552a(f). Listed below are the agencies in this volume.

- General Services Administration
- Harry S Truman Scholarship Foundation
- Independent Counsel Office
- Inter-American Foundation
- International Boundary and Water Commission—U.S. and Mexico
- International Development Cooperation Agency
- International Trade Commission
- Interstate Commerce Commission
- Japan-U.S. Friendship Commission
- Libraries and Information Science, National Commission
- Management and Budget Office
- Marine Mammal Commission
- Merit Systems Protection Board
- National Aeronautics and Space Administration
- National Archives and Records Administration
- National Capital Planning Commission
- National Credit Union Administration
- National Labor Relations Board
- National Science Foundation
- National Security Council
- National Transportation Safety Board
- Navajo and Hopi Indian Relocation Commission
- Nuclear Regulatory Commission
- Occupational Safety and Health Review Commission
- Overseas Private Investment Corporation
- Panama Canal Commission
- Peace Corps
- Pennsylvania Avenue Development Corporation
- Pension Benefit Guaranty Corporation
- Personnel Management Office
- Postal Rate Commission
- Postal Service
- President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research
- President's Commission on Executive Exchange
- President's Commission on White House Fellowships
- Railroad Retirement Board
- Securities and Exchange Commission
- Selective Service System
- Small Business Administration
- Tennessee Valley Authority
- Trade Negotiations,Office of the Special Representative
- U.S. Information Agency
- Water Resources Council

GENERAL SERVICES ADMINISTRATION

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GSA/GOVT-3...Travel charge card program.
GSA/GOVT-4...Contracted Travel Services Program.
GSA/HRO-1...23-00-0001...Standards of conduct files.
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GSA/OGC-6...23-00-0044...Potential employee referrals.
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GSA/REGADM-4...23-00-0071...Official correspondence files.
GSA/REGADM-6...23-00-0102...Ridesharing system.
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GSA/FSS-12...23-00-0094...Accountability and property inventory systems.
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GSA/AGENCY-1

System name:

Employee Related Files.

System location:

This system of records may be located at the supervisory or administrative office level at all General Services Administration facilities and commissions, committees, and small agencies serviced by GSA.

Categories of individuals covered by the system:

Individuals covered by the system are current and former employees of the General Services Administration and of commissions, committees, and small agencies serviced by GSA; applicants or potential applicants for employment; employees of other agencies for employee relief bills; volunteer workers; and uncompensated workers.

Categories of records in the system:

Records include information on individuals such as name, social security number, birth, home and emergency addresses and telephone numbers, personnel actions, professional registration, qualifications, training, congressional employees relief bills, injuries, employment history, awards and other recognitions, counseling, warnings, reprimands, grievances, appeals, conduct, leave, pay attendance, work assignments, performance, assessments, permit and pass applications, indebtedness complaints, travel and outside employment. This system does not include official personnel files covered by the Office of Personnel Management's systems of records OPM/GOVT-1 through 9 and CSC/GOVT-1.

Authority for maintenance of the system:

Federal Property and Administrative Services Act of 1949, as amended (63 Stat. 377); Title 5 U.S.C. generally; and Title 31 U.S.C. generally.

Purpose(s):

To assemble in one system information on personnel matters affecting employees and uncompensated workers. To accomplish the above, this system starts requests for personnel actions, plans and schedules training, counsels employees on their performance, sets up a basis for proposing recommendations for disciplinary actions, and carries out general personnel management responsibilities.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. To disclose information to a Federal, State, local, or foreign agency responsible for investigating, prosecuting, enforcing, or carrying out a statute, rule, regulation, or order, where the General Services Administration becomes aware of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to another Federal agency or a court when the Government is party to a judicial proceeding.

c. To disclose information to a requesting Federal agency in connection with hiring or retaining an employee; issuing a security clearance; reporting an employee investigation; clarifying a job; letting a contract; or issuing a license, grant, or other benefit by the requesting agency where the information is relevant and necessary for a decision.

d. To disclose information to the Merit Systems Protection Board officials, including the Office of Special Counsel; the Federal Labor Relations Authority and its General Counsel; or the Equal Employment Opportunity Commission in performing their duties.

e. To disclose information to an appeal, grievance, or formal complaints examiner; equal employment opportunity investigator; arbitrator; exclusive representative; or other official engaged in investigating, or settling a grievance, complaint, or appeal filed by an employee.

f. To disclose information to the Office of Personnel Management under the agency's responsibility for evaluating Federal personnel management. When official personnel records in the custody of GSA are covered in systems of records published by the Office of Personnel Management as Government-wide records, they are considered part of that system. Other official personnel records covered by notices published by GSA and are separate systems of records may be transferred to the Office of Personnel Management under official personnel programs and activities as a routine use.

g. To disclose information to a Member of Congress or a congressional staff member in response to an inquiry from that congressional office made in behalf of a constituent.

h. To disclose information to an expert, a consultant, or contractor of GSA in performing a Federal duty.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders and card files; magnetic tapes and disks in cabinets.

Retrievability:

Filed at each location by name and/or social security number.

Safeguards:

Records stored in lockable file cabinets, lockable desk drawers, and/or secured rooms. Diskette application protected by password system.

Retention and disposal:

Records are reviewed annually, documents are updated, and irrelevant documents destroyed. No copies of records are kept in this system after the original or any copies are purged from the official personnel folders. When an employee leaves the agency through transfer or separation, the records are immediately forwarded to the office maintaining the official personnel folder. The records are then screened to ensure that nothing is missing in the official personnel folder and then destroyed. Purging information from electronic media meets this destruction requirement.

System manager(s) and address:

Agency officials with overall responsibility under their jurisdiction are the Heads of Services and Staff Offices for Central Office employees and the Regional Administrators for regional employees. Officials responsible for geographically dispersed systems of records are the senior official at the facility or the supervisor of current and former employees or volunteers. The addresses of the Central Office and regional offices are listed in the appendix following this notice.

The addresses of the field activities are listed following the notices GSA/OIRM-8, GSA/PBS-3, GSA/FSS-12, and GSA/FPRS-2.

Notification procedure:

Inquiries by individuals should be addressed to the supervisor official at the address where the person worked. If not known, general inquiries should be addressed to the Head of the Service of Staff Office for Central Office employees, or to the Regional Administrator for regional office employees at the address listed in the appendix following this notice.

Record access procedures:

Requests from individuals should be addressed to the supervisor or official at the address where the person worked. If not known, general requests should be addressed to the Head of the Service or Staff Office for Central Office employees, or to the Regional Administrator for regional office employees at the address listed in the appendix following this notice. For identification requirements, refer to the agency regulations outlined in 41 CFR Part 105-64.

Contesting record procedures:

GSA rules for contesting the contents and appealing initial decisions are issued in 41 CFR Part 105-64 of the Code of Federal Regulations.

Record source categories:

Individuals themselves, other employees, supervisors, personnel records, and third parties submitting indebtedness complaints.

Appendix—GSA/Agency Addresses of Locations

Central Office

General Services Building, 18th and F Streets NW., Washington, D.C. 20405.

Crystal Mall Building 4, 1941 Jefferson Davis Highway, Arlington, VA 20406.

Crystal Square Building 5, 1755 Jefferson Davis Highway, Arlington, VA 20406.

Chester Arthur Building, 425 I Street NW., Washington, DC 20405.

Archives Building, 7th and Pennsylvania Avenue NW., Washington, DC 20408.

Region Offices

National Capital Region, Regional Office Building, 7th and D Streets SW., Washington, DC 20407.

Region 1, J.W. McCormack Post Office and Courthouse Building, Boston, MA 02109.

Region 2, 26 Federal Plaza, New York, NW 1007.

Region 3, Regional Office Building, 9th and Market Streets, Philadelphia, PA 19107.

Region 4, 75 Spring Street SW., Atlanta, GA 30303.

Region 5, John C. Kluczynski Federal Building, 230 South Dearborn Street, Chicago, IL 60604.

Region 6, Federal Building, 1500 East Bannister Road, Kansas City, Missouri 64131.

Region 7, 819 Taylor Street, Fort Worth, Texas 76102.

Region 8, Building N. 41, Denver Federal Center, Denver, Colorado 80225.

Region 9, 525 Market Street, San Francisco, California 94105.

Region 10, GSA Center, Auburn, Washington, 98002.

GSA/GOVT-2

System name:

Employment under commercial activities contracts.

System location:

Records on former employees are located at the civilian Federal agency from where the employee was involuntarily separated and at the commercial contract activity.

Categories of individuals covered by the system:

Former Federal employees involuntarily separated from Government employment as a result of a commercial activity contract.

Categories of records in the system:

Records in the system include name and social security number of employees involuntarily separated from Government employment as a result of a contract and who accepted or rejected offers of employment and the monetary value of pay and benefits offered.

Authority for maintenance of the system:

Title 5 CFR 550.701(b)(6); E.O. 11257, November 17, 1965; and FPR Temporary Regulation 63, Supplement 1.

Purpose(s):

The purpose of the system is to provide Government agencies with necessary information on former Federal employees hired by contractors to ensure the proper distributions of severance pay by the Government.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. In the event that a record indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation, or order issued pursuant thereto.

b. A record from this system of records may be disclosed to a Member of Congress or to a Congressional staff member in response to an inquiry of the Congressional office made at the request of the individual about whom the record is maintained.

c. A record from this system if records may be disclosed to the commercial activity contractor to provide the contractor with the necessary information on former Federal employees who could receive employment offers from the contractor.

d. A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of any employee to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

e. A record from this system of records may be disclosed to an authorized appeal or grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the Office of Personnel Management in accordance with the agency's responsibility for evaluation of Federal personal management.

f. The information contained in this system of records may be disclosed to the Office of Management and Budget in connection with the review of private relief legislation at any stage of the legislative coordination and clearance process.

g. The information contained in this system of records may be disclosed to officials of labor organizations recognized under 5 U.S.C. chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting working conditions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained in file folders and on lists and forms.

Retrievability:

These records are retrieved by name and by Social Security Number.

Safeguards:

When not in use by an authorized person, the records are stored in lockable file cabinets or in secured rooms. Information is released only to authorized officials on a need-to-know basis.

Retention and disposal:

Records in this system are to be retained for 4 years similar to the contractor requirements of FPR 1-20.301-2(a).

System manager(s) and address:

Personnel officer of the department or agency where a subject individual was last employed.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contact the contracting officer or personnel officer at the agency where the individual was last employed. Individuals must furnish the following information for their records to be located and identified: Full name and the department of agency and component at which previously employed.

Record access procedures:

Individuals wishing to request access to their records should contact the contracting officer or personnel officer where the individual was last employed. Individuals must furnish their full name and department or agency and component with which employed in order for their records to be located and identified.

Contesting record procedures:

Individuals wishing to request amendment of their records should contact the department or agency contracting officer or personnel officer at the activity where they were last employed. Individuals must furnish their full name and the name of their last employing agency, including duty station.

Record source categories:

Information in this system is provided by the personnel office, contracting officer, and finance officer of the department or agency where the individual was last employed and from the commercial activites contractor.

GSA/GOVT-3

System name:

Travel Charge Card Program.

System location:

This system of records is located in the finance office of the local installation of the Department or Agency which the individual travelled. Records necessary for the contractor to perform under the contract are located at the contractor's facility.

Categories of individuals covered by the system:

Individuals covered by the system are current Federal employees who have their own Government assigned charge card and all other Federal employees and authorized individuals using the GTS account number who are all on travel.

Categories of records in the system:

Records include name, address, social security number, employment information, telephone numbers, information needed for identification verification, travel authorizations and vouchers, charge card applications, charge card receipts, terms and conditions for use of charge cards, and monthly reports from contractor(s) showing charges to individual account numbers, balances, and other types of account analyses.

Authority for maintenance of the system:

5 U.S.C. 5707 and implementing Federal Travel Regulations, FPMR 101-7.

Purpose(s):

To assemble in one system information to provide Government agencies with (1) necessary information on the commercial travel and transportation payment and expense control system which provides travelers charge cards and the agency an account number for official travel and related travel expenses on a worldwide basis, (2) attendant operational and control support, and (3) management information reports for expense control purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. To disclose information to a Federal, State, local, or foreign agency responsible for investigating, prosecuting, enforcing, or carrying out a statute, rule, regulation, or order, where the General Services Administration becomes aware of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to a Member of Congress or a congressional staff member in response to an inquiry from that congressional office made in behalf of a constituent.

c. To disclose information to the contractor in providing necessary information for issuing credit cards.

d. To disclose information to a requesting Federal agency in connection with hiring or retaining an employee; issuing a security clearance; reporting an employee investigation; clarifying a job; letting a contract; or issuing a license, grant, or other benefit by the requesting agency where the information is relevant and necessary for a decision.

e. To disclose information to an appeal, grievance, or formal complaints examiner; equal employment opportunity investigator; arbitrator; exclusive representative; or other official engaged in investigating, or settling a grievance, complaint, or appeal filed by an employee.

f. To disclose information to officials of labor organizations recognized under Pub. L. 95-454, when necessary to their duties of exclusive representation on personnel policies, practices, and matters affecting working conditions.

g. To disclose information to a Federal agency for accummulating reporting data and monitoring the system.

h. To disclose information in the form of listings, reports, and records of all common carrier transactions including refunds and adjustments to GSA by the contractor to enable audits of carrier charges to the Government.

i. To disclose information to GSA contract agents assigned to participating agencies for billing of travel expenses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders. Computer records within a computer and attached equipment.

Retrievability:

Filed by name, Social Security Number, and/or credit card number.

Safeguards:

Paper records stored in lockable file cabinets or secured rooms. Computerized records protected by use of access codes and entry logs. There is restricted access to credit card account numbers.

Retention and disposal:

Records are kept for 3 years and then destroyed.

System manager(s) and address:

Director, Office of Transportation Office of Federal Supply and Services, General Services Administration (FT), Crystal Mall Building 4, 1941 Jefferson Davis Highway, Arlington, VA 22202.

Notification procedure:

Inquiries by individuals should be addressed to the agency Finance Officer for which they travelled.

Record access procedures:

Requests from individuals should be addressed to the agency Finance Officer for which they travelled. Individuals must furnish their full name and the authorizing department or agency and component of their records to be located and identified.

Contesting record procedures:

Individuals wishing to request amendment of their records should contact the agency Finance Officer for which they travelled. Individuals must furnish their full name and the authorizing agency and component for which the individual travelled.

Record source categories:

Charge card applications, monthly reports from the contractor, travel authorizations and vouchers, and data interchanged between agencies.

GSA/GOVT-4

System name:

Contracted Travel Services Program.

System location:

This system of records is located in the travel agencies under contract with a Federal agency and in the administrative offices of Federal agencies.

Categories of individuals covered by the system:

Individuals covered by the system are current Federal employees on travel and individuals being provided travel by the Government.

Categories of records in the system:

Records include traveler's profile which contains name of individual, social security number, home and office telephones, agency's name, address, and telephone number, air travel preference, rental car identification number and preference of car, hotel preference, current passport and/or visa number, personal credit card numbers, and additional information; travel authorization; and monthly reports from travel agent(s) showing charges to individuals, balances, and other types of account analyses.

Authority for maintenance of the system:

31 U.S.C. 711; interpret or apply 31 U.S.C. 3511, 3512, and 3523

Purpose(s):

To assemble in one system information to enable travel agents who are under contract to the Federal Government to issue and account for travel provided to individuals.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. To disclose information to a Federal, State, local, or foreign agency responsible for investigating, prosecuting, enforcing, or carrying out a statute, rule, regulation, or order, where the agencies become aware of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to another Federal agency or a court when the Government is party to a judicial proceeding.

c. To disclose information to a Member of Congress or a congressional staff member in response to an inquiry from that congressional office made at the request of that individual.

d. To disclose information to an expert, a consultant, or contractor of the agency in performing a Federal duty.

e. To disclose information to a credit card company for billing purposes.

f. To disclose information to a Federal agency for accumulating reporting data and monitoring the system.

g. To disclose information to the agency by the contractor in the form of itemized statements or invoices, and reports of all transactions including refunds and adjustments to enable audits of charges to the Government.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file cabinets. Computer records within a computer and attached equipment.

Retrievability:

Filed by name and/or social security number at each location.

Safeguards:

Records stored in lockable file cabinets or secured rooms. Computerized records protected by password system. Information released only to authorized officials on a need-to-know basis.

Retention and disposal:

Records kept by the Federal agency are held for 3 years and then destroyed. Records kept by the travel agency are held and destroyed no longer than 3 years.

System manager(s) and address:

Director, Office of Transportation, Office of Federal Supply and Services, General Services Administration (FT), Crystal Mall Building 4, 1941 Jefferson Davis Highway, Arlington, VA 22202.

Notification procedure:

Inquiries from individuals should be addressed to the appropriate agency's administrative office for which they traveled.

Record access procedures:

Requests from individuals should be addressed to the appropriate agency's administrative office for which they traveled. Individuals must furnish their full name and the authorizing department or agency and components for their records to be located and identified.

Contesting record procedures:

Individuals wishing to request amendment of their records should contact the appropriate agency's administrative office for which they traveled. Individuals must furnish their full name and the name of the authorizing agency, including duty station where they were employed when traveling if applicable.

Record source categories:

Individuals, employees, travel authorization, credit card companies.

GSA/HRO-1 (23-00-0001)

System name: Standards of Conduct Files.

System location: The system is located in the personnel offices of GSA at the addresses listed in the appendix for the Office of Personnel following the notice, GSA/HRO-7; the Central Office, Office of Personnel, 18th & F Sts. NW., Washington, DC 20405; and the offices of supervisors and management officials who have a need for information relating to an employee's outside employment.

Categories of individuals covered by the system: All employees who have requested permission to engage in outside employment, received a copy of the standards of conduct, or have been the object of debt complaints.

Categories of records in the system: 1. Application to engage in outside employment, business or professional activities (GSA Form 1974).

2. Acknowledgement of receipt of GSA Standards of Conduct (GSA Form 2160).

3. Debt complaint files.

Authority for maintenance of the system: 5 U.S.C. 7351; 5 CFR 735.203 and 735.207.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the General Services Administration (GSA) becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To provide information to a Member of Congress or to a congressional staff member from the records of an individual in response to an inquiry from that congressional office made at the request of that individual.

c. To disclose information to another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

d. To disclose information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of a job, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

e. By the Office of Personnel Management in the production of summary descriptive statistics in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

f. To disclose information to any source where necessary to obtain information relevant to a conflict-of-interest investigation or determination.

g. To disclose information to the Office of Management and Budget (OMB) in connection with the review of private relief legislation at any stage of the legislative coordination and clearance process.

h. To disclose information to officials of the Merit Systems Protection Board, including the Office of Special Counsel; the Federal Labor Relations Authority and its General Counsel; or the Equal Employment Opportunity Commission when requested in performance of their authorized duties.

i. To an authorized appeal or grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee.

j. To the Office of Personnel Management in accordance with the agency's responsibility for evaluation of Federal personnel management.

k. To the extent that official personnel records in the custody of GSA are covered within systems of records published by the Office of Personnel Management as Government-wide records, they will be considered as a part of that Government-wide system. Other official personnel records covered by notices published by GSA and considered to be separate systems of records may be transferred to the Office of Personnel Management in accordance with official personnel programs and activities as a routine use.

l. To an expert, consultant, or a contractor of GSA to the extent necessary to further the performance of a Federal duty.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file cabinets.

Retrievability: Filed alphabetically at each location by name.

Safeguards: When not in use by an authorized person, these records are stored in lockable metal file cabinets or in secured rooms.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: The Director of Personnel at 18th and F Streets NW., Washington, DC 20405. Mailing address: General Services Administration (HP), Washington, DC 20405.

Notification procedure: Current employees may obtain information about whether they are a part of this system of records from their supervisor or from their personnel officer at the appropriate address listed in the appendix following the notice GSA/HRO-7, or from the

Director of Personnel at the address noted above, whichever is applicable. Former employees may obtain information from the personnel officers at the addresses listed in the appendix.

Record access procedures: Requests from current employees to gain access to information pertaining to them should be directed to their supervisor or to their personnel officer at the appropriate address listed in the appendix following the notice GSA/HRO-7, or to the Director of Personnel at the address noted above, whichever is applicable. Former employees should direct requests to gain access to information pertaining to them to the appropriate personnel officer at the address listed in the appendix. For identification requirements refer to the agency regulations as outlined in 41 CFR Part 105-64.

Contesting record procedures: GSA rules for access to records and for contesting the contents and appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: Employees requesting permission to engage in outside employment, firms and/or collection agencies filing debt complaints, supervisors, and management officials.

GSA/HRO-2 (23-00-0004)

System name: Employee Drug Abuse/Alcoholism Files.

System location: The system is located in the personnel offices of GSA at the addresses listed in the appendix for the Office of Personnel following the notice GSA/HRO-7; the Central Office, Office of Personnel at 18th & F Sts. NW., Washington, DC 20405; in the offices of designated counselors; and in the offices of supervisors who have had employees suspected or known to have drug abuse problems (including alcoholism).

Categories of individuals covered by the system: GSA employees who have been suspected or known to have an alcohol abuse or other drug abuse problem.

Categories of records in the system:

1. Records of referrals for counseling.
2. Records of counseling.
3. Records of referrals for rehabilitative assistance.

Authority for maintenance of the system: Pub. L. 92-255 and 5 U.S.C. 7901.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. To document that supervisors have properly dealt with employees whose work is affected by alcohol abuse or other drug abuse.

b. To communicate information to personnel having a need for the information in connection with their duties; such as medical or health personnel, alcohol or other drug abuse counselors, alcohol or other drug abuse program administrators, and qualified service organizations.

c. To provide a basis for meeting reporting requirements to the Office of Personnel Management.

d. To disclose information to the Department of Justice or other appropriate Federal agencies in defending claims against the United States, when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of the activities of GSA in connection with such individual.

Such disclosures will be restrictively made; in particular, disclosures of information pertaining to an individual with a history of alcohol or other drug abuse will be limited in compliance with the restrictions of the confidentiality of Alcohol and Drug Abuse Patient Records regulations, 45 CFR Part 2.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file drawers or cabinets.

Retrievability: Filed alphabetically at each location by name.

Safeguards: When not in use by an authorized person, these records are stored in lockable metal file cabinets or in secured rooms.

Retention and disposal: Records are maintained for 1 year after the employee's last contact with the counselor, or until the employee's separation or transfer, whichever comes first. Records are destroyed by shredding or burning.

System manager(s) and address: The Director of Personnel at 18th & F Sts. NW, Washington, DC 20405. Mailing address: General Services Administration (HP), Washington, DC 20405.

Notification procedure: Current employees may obtain information about whether they are a part of this system of records from their supervisor or from their personnel officer at the appropriate address listed in the appendix for the Office of Personnel following the notice GSA/HRO-7, or from the Director of Personnel at the address noted above, whichever is applicable. Former employees may obtain information from the personnel officers at the addresses listed in the appendix.

Record access procedures: Requests from current employees to gain access to information pertaining to them should be directed to their personnel officer at the appropriate address listed in the appendix for the Office of Personnel following the GSA/HRO-7 notice, or to the Director of Personnel at the address noted above, whichever is applicable. Former employees should direct requests to gain access to information pertaining to them to the appropriate personnel officer at the address listed in the appendix. For identification requirements refer to the agency regulations outlined in 41 CFR Part 105-64.

Contesting record procedures: GSA rules to access to records and for contesting the contents and appealing initial determination are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: Supervisors, counselors, personnel specialists, and the employees themselves.

GSA/HRO-3

System name:

Occupational Health and Injury Files.

System location:

This system of records is located in the General Services Administration personnel offices at the locations listed in the appendix following the notices GSA/HRO-7; the Fire and Safety Division, Office of Federal Protection and Safety, Public Building Service; and the offices of all supervisors with employees who had occupational health problems or were injured on the job. The data base for the automated part of this system is on computers at the National Capital Regional Office, Washington, DC.

Categories of individuals covered by the system:

Individuals covered by the system are GSA employees who have had injuries or other occupational health problems.

Categories of records in the system:

Records include accident reports (including CA 1 and 2: Federal Employees Notice of Injury or Occupational Disease), Claims for Compensation for Injury or Occupational Disease (CA 4), Claims for Continuances of Compensation on Account of Disability (CA 8), lists of employees receiving medical services, and health records. The automated management information system includes injury statistical records such as occupation and sex of employee, age group, cost per injury, days lost, cause and severity of injury, and anatomical location of injury.

Authority for maintenance of the system:

5 U.S.C. Chap 81 and 5 U.S.C. 7153 and 7901.

Purpose(s):

To assemble in one system information to process and maintain accident and other occupational health reports on employees, accumulate data for various statistical reports, and identify and record those employees who have had injuries or other occupational health problems.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. To disclose information that is needed by law to a Federal, State, or local public health service agency on individuals who have contracted certain communicable diseases or conditions. Such information is used to prevent further outbreak of the disease or condition.

b. To disclose information to another Federal agency or a court when the Government is party to a judicial proceeding.

c. To disclose information to the Office of Workers Compensation Programs on a claim for benefits filed by an employee.

d. To disclose information to a Member of Congress or a congressional staff member in response to an inquiry from that congressional office made in behalf of a constituent.

e. To disclose statistical reports to the Occupational Safety and Health Administration as required by Section 19 of the Occupational Safety and Health Act.

f. To disclose statistical information to Central Office and regional office managers and supervisors to identify trends in injuries and provide better management of the program.

g. To disclose information to the Department of Labor to verify payments to employees for injuries.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders. Magnetic tape and disk media in storage libraries. Computer records within a computer and attached equipment.

Retrievability:

Filed numerically at each location by social security number and/or claim number.

Safeguards:

Records stored in lockable file cabinets or secured rooms. Computerized records protected by password system. Information release only to authorized officials on a need-to-know basis.

Retention and disposal:

Disposal of records is described in the HB, GSA Records Maintenance and Disposition system (OAD P 1820.2).

System manager(s) and address:

Director, Office of Personnel, General Services Administration (EP), 18th and F Streets, NW, Washington, DC 20405.

Notification procedure:

Inquiries from current employees should be addressed to their supervisor or the personnel officer at the address listed in the appendix following the notice GSA/HRO-7. Former employees should address inquiries to the personnel officer at the address listed in the appendix.

Record access procedures:

Requests from current employees should be addressed to their supervisor, the personnel officer at the address listed in the appendix following the notice GSA/HRO-7, or the system manager, whichever is applicable. Former employees should address requests to the personnel officer at the address listed in the appendix. For identification requirements, refer to the agency regulations outlined in 41 CFR Part 105-64.

Contesting record procedures:

GSA rules for contesting the contents and appealing initial decisions are issued in 41 CFR Part 105-64, of the Code of Federal Regulations.

Record source categories:

Individuals themselves, or the personnel specialists preparing various records for claims.

GSA/HRO-4 (23-00-0007)

System name: Labor-Management Relations Files.

System location: The system is located in the personnel offices of GSA at the locations listed in the appendix for the Office of Personnel following the notice GSA/HRO-7; the Central Office, Office of Personnel at 18th & F Sts. NW., Washington, DC 20405, and various service and staff offices throughout GSA.

Categories of individuals covered by the system: GSA employees who are union officials or are in an exclusively recognized unit. Also GSA employees who have filed grievances under the negotiated grievance procedure.

Categories of records in the system: 1. Union dues withholding request or revocation.

2. List of employees who are elected or appointed union officers or officials.

3. Arbitration awards based on employee or union grievance.

4. GSA Form 3079, Official Time for Representational Functions.

Authority for maintenance of the system: 5. U.S.C. 7101 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. To identify and record those employees who are included in exclusively recognized units, are under dues withholding are elected or appointed as union officers, whose grievances have been resolved by arbitration awards, and who use official time for representational functions.

b. To the Department of Labor in carrying out its functions regarding labor-managemnt relations in the Federal service.

c. To officials of labor organizations recognized under Pub. L. 95-454, when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting working conditions.

d. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the General Services Administration (GSA) becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

e. To provide information to a Member of Congress or to a congressional staff member from the records of an individual in response to an inquiry from that congressional office made at the request of that individual.

f. To disclose information to another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

g. By the Office of Personnel Management in the production of summary descriptive statistics in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

h. To disclose information to the Office of Management and Budget in connection with the review of private relief legislation at any stage of the legislative coordination and clearance process.

i. To disclose information to officials of the Merit Systems Protection Board, including the Office of Special Counsel; the Federal Labor Relations Authority and its General Counsel; or the Equal Employment Opportunity Commission when requested in performance of their authorized duties.

j. To an authorized appeal or grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee.

k. To the Office of Personnel Management in accordance with the agency's responsibility for evaluation of Federal personnel management.

l. To the extent that official personnel records in the custody of GSA are covered within systems of records published by the Office of Personnel Management as Government-wide system, they will be considered as part of that Government-wide system. Other official personnel records covered by notices published by GSA and considered to be separate systems of records may be transferred to the Office of Personnel Management in accordance with official personnel programs and acitivities as a routine use.

m. To an expert, consultant, or a contractor of GSA to the extent necessary to further the performance of a Federal duty.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records and machine listings in file cabinets.

Retrievability: Filed alphabetically at locations by name.

Safeguards: When not in use by an authorized person, these records are stored in lockable metal file cabinets or in secured rooms.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: The Director of Personnel at 18th & F Sts. NW., Washington, DC 20405. Mailing address: General Services Administration (HP), Washington, DC 20405.

Notification procedure: Current employees may obtain information about whether they are a part of this system of records from their supervisor or from their personnel officer at the appropriate address listed in the appendix for the Office of Personnel following the notice GSA/HRO-7, or from the Director of Personnel at the address noted above, whichever is applicable. Former employees may obtain information from the personnel officers at the addresses listed in the appendix.

Record access procedures: Requests from current employees to gain access to information pertaining to them should be directed to their supervisor or to their personnel officer at the appropriate address listed in the appendix for the Office of Personnel following the notice GSA/HRO-7, or to the Director of Personnel at the address noted above, whichever is applicable. Former employees should direct requests to gain access to information pertaining to them to the appropriate personnel officer at the address listed in the appendix. For identification requirements refer to the agency regulations as outlined in 41 CFR Part 105-64.

Contesting record procedures: GSA rules for access to records and for contesting the contents and appealing initial determination are promulgated in 41 CFR Part 105-64 published in the Federal Register.

Record source categories: Officials preparing files and records submitted by employees.

GSA/HRO-5 (23-00-0009)

System name: Employee Benefits Files.

System location: The system is located in the personnel offices of GSA at the addresses listed in the appendix for the Office of Personnel following the notice GSA/HRO-7; the Central Office, Office of

Personnel at 18th & F Sts. NW, Washington, DC 20405, and the offices of supervisors and management officials promoting blood donation and savings bonds programs and soliciting employees to attend White House ceremonies.

Categories of individuals covered by the system: All employees receiving severance pay, contributing blood, authorizing withholding for savings bonds, attending White House ceremonies, and deceased employees with survivors entitled to death benefits.

Categories of records in the system: 1. Severance pay files.

2. Savings bonds lists.
3. Blood donation requests.
4. White House ceremonies files.
5. Death case files.

Authority for maintenance of the system: 5 U.S.C. Chap. 81, 5 U.S.C. 7153 and 7901.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. To identify and record those employees who have received severance pay, authorized withholding for savings bonds, made blood donations, attended White House ceremonies, and/or died leaving survivors entitled to death benefits.

b. To disclose, to the following recipients, information needed to adjudicate a claim for benefits under the recipient's benefit program(s), or information needed to conduct an analytical study of benefits being paid under such programs: Office of Personnel Management; Office of Workers Compensation Program; Veterans Administration Pension Benefits Program; DHEW's Social Security Old Age, Survivor and Disability Insurance and Medical Programs; Health Care Financing Administration, and Supplemental Security Income Program; military retired pay programs; Federal civilian employee retirement programs (other than the Civil Service Retirement System); or other national, State, county, municipal, or other publicly recognized charitable or social security administrative agency.

c. When an individual to whom a record pertains dies, to disclose to any person possibly entitled in the order of precedence for lump sum benefits, information in the individual's record which might be properly disclosed to the individual, and the name and relationship of any other person whose claim to benefits takes precedence or who is entitled to share the benefits payable. When a representative of the estate has not been appointed, the individual's next-of-kin may be recognized as the representative of the estate.

d. To provide an official of another Federal agency information needed in the performance of official duties related to reconciling or reconstructing data files, compiling descriptive statistics, and making analytical studies in support of the function for which the records were collected and maintained.

e. To disclose to another agency, or to an instrumentality of any governmental jurisdiction within or under the control of the United States, for a civil or criminal law enforcement activity, if the activity is authorized by a law, and if the head of the agency or instrumentality has made a written request to GSA specifying the particular portion(s) of the record(s) desired (including an address) and the law enforcement activity for which the record is sought.

f. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the General Services Administration (GSA) becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

g. To provide information to a Member of Congress or to a congressional staff member from the records of an individual in response to an inquiry from that congressional office made at the request of that individual.

h. To disclose information to another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

i. By the Office of Personnel Management in the production of summary descriptive statistics in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

j. To disclose information to the Office of Management and Budget in connection with the review of private relief legislation at any stage of the legislative coordination and clearance process.

k. To disclose information to officials of the Merit Systems Protection Board, including the Office of Special Counsel; the Federal Labor Relations Authority and its General Counsel; or the Equal Employment Opportunity Commission when requested in performance of their authorized duties.

l. To the Office of Personnel Management in accordance with the agency's responsibility for evaluation of Federal personnel management.

m. To the extent that official personnel records in the custody of GSA are covered within systems of records published by the Office of Personnel Management as Government-wide records, they will be considered as a part of that Government-wide system. Other official personnel records covered by notices published by GSA and considered to be separate systems of records may be transferred to the Office of Personnel Management in accordance with official personnel programs and activities as a routine use.

n. To an expert, consultant, or a contractor of GSA to the extent necessary to further the performance of a Federal duty.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in files.

Retrievability: Filed alphabetically at each location by name.

Safeguards: When not in use by an authorized person, these records are stored in lockable metal file cabinets or in secured rooms.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: The Director of Personnel at 18th & F Sts. NW., Washington, DC 20405. Mailing address: General Services Administration (HP), Washington, DC 20405.

Notification procedure: Current employees may obtain information about whether they are a part of this system of records from their supervisor or from their personnel officers at the addresses listed in the appendix.

Record access procedures: Requests from current employees to gain access to information pertaining to them should be directed to their supervisor or to their personnel officer at the appropriate address listed in the appendix for the Office of Personnel following the notices GSA/HRO-7, or to the Director of Personnel at the address noted above, whichever is applicable. Former employees should direct requests to gain access to information pertaining to them to the appropriate personnel officer at the address listed in the appendix. For identification requirements refer to the agency regulations as outlined in 41 CFR Part 105-64.

Contesting record procedures: GSA rules for access to records and for contesting the contents and appealing initial determination are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: The information in this system of records is provided by the individuals to whom the records pertain or by the personnel specialists who prepare various records for claims.

GSA/HRO-6 (23-00-0023)

System name: Listing of Physicians.

System location: This system is located in the personnel offices of GSA at the addresses listed in the appendix for the Office of Personnel following the notice GSA/HRO-7.

Categories of individuals covered by the system: Physicians certified by a board of qualified medical officials established by the Office of Personnel Management and in some cases, other physicians approved by GSA.

Categories of records in the system: Name, addresses, and phone numbers of the physicians included in this system.

Authority for maintenance of the system: FPM Chapter 339.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To serve as a referral source for those who are in need of a physician for a fitness for duty examination or for on-the-job inquiries.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records within this system are primarily on papers.

Retrievability: The records within this system are primarily retrievable by name.

Safeguards: When not in use by an authorized person, these records are stored in lockable metal file cabinets or secured rooms.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2)

System manager(s) and address: The Director of Personnel at 18th & F Sts. NW., Washington, D.C. 20405. Mailing address: General Services Administration (HP), Washington, D.C. 20405.

Notification procedure: Individuals may obtain information about whether they are included in this system by contacting the personnel office listed in the appendix for the Office of Personnel following the notice GSA/HRO-7.

Record access procedures: Individuals should direct requests to access records to the personnel office listed in the appendix for the Office of Personnel following the notice GSA/HRO-7, which is in their particular area. For identification requirements, refer to the agency regulations as outlined in 41 CFR Part 105-64.

Contesting record procedures: GSA rules for access to records and contesting the contents and appealing initial determination are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: The information in this system of records is provided by the individual themselves to either GSA or to the Office of Personnel Management of Public Health Service who forwarded the information to GSA.

Appendix GSA/OAD Addresses of Locations

Central Office
Central Office Personnel Division (HPO), General Services Administration, 18th & F Streets NW., Washington, DC 20405, Area Code 202-566-0040.

Regional Offices
National Capital Region (WBP), Regional Personnel Office, General Services Administration, 7th & D Streets SW., Washington, DC 20407, Area Code 202-472-1939.

Region 1
Regional Personnel Office (1BP), General Services Administration, John W. McCormack Post Office and Courthouse, Boston, MA 02109, Area Code 617-223-2624.

Region 2
Regional Personnel Office (2BP), General Services Administration, 26 Federal Plaza, New York, NY 10007, Area Code 212-264-8318.

Region 3
Regional Personnel Office (3BP), General Services Administration, 9th and Market Sts. Rm. 4203, Philadelphia, PA 19107, Area Code 215-597-1351.

Baltimore Area Office, Federal Building, Room 110B, Baltimore, MD 21201, Area Code 301-962-4357.

Region 4
Regional Personnel Office (4BP), General Services Administration, Richard B. Russell Building, 75 Spring Street SW., Atlanta, GA 30303, Area Code 404-221-5127.

Region 5
Regional Personnel Office (5BP), General Services Administration, 230 South Dearborn Street, Chicago, IL 60604, Area Code 312-253-5550.

Region 6
Regional Personnel Office (6BP), General Services Administration, 1500 E. Bannister Road, Kansas City, MO 64131; Area Code 816-926-7206.

St Louis Area Office, 9700 Page Boulevard, Overland, MO 63132, Area Code 314-268-7273.

Region 7
Regional Personnel Office (7BP), General Services Administration, 819 Taylor Street, Fort Worth, TX 76102, Area Code 817-334-2366.

Region 8
Regional Personnel Office (8BP), General Services Administration, Denver, CO 80225, Area Code 303-234-2346.

Region 9
Regional Personnel Office (9BP), General Services Administration, 525 Market Street, San Francisco, CA 94105, Area Code 415-556-[illegible]27.

Region 10
Regional Personnel Office (10BP), General Services Administration, GSA Center, Auburn, WA 98002, Area Code 206-833-5212.

GSA/HRO-7 (23-00-0027)

System name: Motor Vehicle Operator Applications.

System location: This system of records is maintained in the personnel offices of GSA at the addresses listed in the appendix for the Office of Personnel following this notice and in the offices of all designated officials who require such forms prior to issuing a U.S. Government Motor Vehicle Operator's Identification Card.

Categories of individuals covered by the system: All employees who require the issuance of a motor vehicle operators license.

Categories of records in the system: 1. SF 47, Physical Fitness Inquiry for Motor Vehicle Operators.

2. SF 78, Certificate of Medical Examination.

3. GSA 1293, Application for Motor Vehicle Operator's Identification Card (SF 46).

Authority for maintenance of the system: 40 U.S.C. 491

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. To assess the ability of an employee to safely operate a Government motor vehicle and to determine the issuance of a government drivers license (SF 46).

b. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the General Services Administration (GSA) becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

c. To provide information to a Member of Congress or to a congressional staff member from the records of an individual in response to an inquiry from that congressional office made at the request of that individual.

d. To disclose information to another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

e. To disclose information to a Federal agency, in response to its request, is connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of a job, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision of the matter.

f. By the Office of Personnel Management in the production of summary descriptive statistics in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

g. To disclose information to the Office of Management and Budget in connection with the review of private relief legislation at any stage of the legislative coordination and clearance process.

h. to disclose information to officials of the Merit Systems Protection Board, including the Office of Special Counsel; the Federal Labor Relations Authority and its General Counsel; or the Equal Employment Opportunity Commission when requested in performance of their authorized duties.

i. To an authorized appeal or grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee.

j. To the Office of Personnel Management in accordance with the agency's responsibility for evaluation of Federal personnel management.

k. To the extent that official personnel records in the custody of GSA are covered within systems of records published by the Office of Personnel Management as Government-wide system, they will be considered as a part of that Government-wide system. Other official personnel records covered by notices published by GSA and considered to be separate systems of records may be transferred to the Office of Personnel Management in accordance with official personnel programs and activities as a routine use.

l. To an expert, consultant, or a contractor of GSA to the extent necessary to further the performance of a Federal duty.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name.

Safeguards: When not in use by an authorized person, these records are stored in lockable metal file cabinest or in secured rooms.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: The Director of Personnel at 18th & F Sts. NW., Washington, DC 20405.

Notification procedure: Current employees may obtain information about whether they are a part of this system of records from the designated official or from their personnel officer at the appropriate address listed in the appendix for the Office of Personnel following this notice or from the Director of Personnel at the address noted above, whichever is applicable. Former employees may obtain information from the personnel officer at the addressed listed in the appendix.

Record access procedures: Requests from current employees to gain access to information pertaining to them should be directed to the designated official or to their personnel officer at the appropriate address listed in the appendix for the Office of Personnel following this notice or to the Director of Personnel at the address noted above, whichever is applicable. Former employees should direct requests to the appropriate personnel officer at the address listed in the appendix. For identification requirements refer to the agency regulations as outlined in 41 CFR Part 105-64.

Contesting record procedures: GSA rules for access to systems of records, contesting the contents of a system of record, and appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: The employee, designated officials, and physicians.

GSA/HRO-8 (23-00-0026)

System name: Credentials, Passes, and Licenses.

System location: This system of records is maintained by the Director of Administrative Services, 18th & F Sts. NW., Washington, DC and by the regional Administrative Services Divisions as listed in the appendix following notice GSA/HRO-9.

Categories of individuals covered by the system: All employees whose assigned responsibilities require the issuance of credentials for identification and security purposes.

Categories of records in the system: 1. GSA Form 15, Weekend and Holiday Pass (Various personal characteristics).

2. GSA Form 22, Employee Identification Credential-Regional (Photo, name, birth date, Social Security Number (SSN), description of individual, issuance date, serial number, employee signature, and issuing official).

3. GSA Form 47, Physical Fitness Inquiry for Motor Vehicle Operators (Name, date of birth, title of position, home address, agency, medical inquiry, applicant's signature, date, signature of designated official, date).

4. GSA Form 48, Request for and Record of Credential or Pass (Name, description of individual, and place of employment).

5. GSA Form 208, Employee Identification Card (Name, service, and date of issuance).

6. GSA Form 277, Employee Identification and Authorization Credential-General (Photo, signature of bearer, name of employee, signature of issuing official, date issued, identification serial number, SSN, and date of birth).

7. GSA Form 1293, Application for Motor Vehicle Operator's Identification Card (SF 46) (Name, organization, type of SF 46 applied for, previously issued SF 46 by GSA, mailing address, type of vehicle, personal data and driving record, applicant's signature and date, physical fitness certification by signature of certifying official, certification of eligibility by signature of certifying official).

8. GSA Form 1315, Civil Defense Identification Card Data (Name, address, and personal characteristics).

9. SF 138, Civil Defense Identification Card (Name, service, and ID number).

10. OF 7, Property Pass (Name, building, description of property, agency, and effective date).

11. OF 55, U.S. Government Identification.

12. GSA Form 2941, Parking application (Name, address, agency, correspondence symbol, office telephone number, and length of service).

Authority for maintenance of the system: The Federal Property and Administrative Services Act of 1949 (63 Stat. 377) as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. To facilitate the issuance and control of cards, parking permits, building passes, drivers licenses, and similar credentials.

b. To disclose pertinent information to the appropriate Federal, State or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the General Services Administration (GSA) becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

c. To provide information to a Member of Congress or to a congressional staff member from the records of an individual in response to an inquiry from that congressional office made at the request of that individual.

d. To disclose information to another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

e. To disclose information to a Federal agency, in response to its requests, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of a job, the letting of a contract, or the issuance of license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

f. By the Office of Personnel Management in the production of summary descriptive statistics in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structed in such a way as to make the data individually identifiable by influence.

g. To disclose information to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in the circular.

h. To disclose information to officials of the Merit Systems Protection Board, including the Office of Special Counsel; the Federal Labor Relations Authority and its General Counsel; or the Equal Employment Opportunity Commission when requested in performance of their authorized duties.

i. To an authorized appeal or grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee.

j. To the Office of Personnel Management in accordance with the agency's responsibility for evaluation of Federal personnel management.

k. To the extent that official personnel records in the custody of GSA are covered within systems or records published by the Office of Personnel Management as Government-wide records, they will be considered as a part of that Government-wide system. Other official personnel records covered by notices, published by GSA and considered to be separate systems of records may be transferred to the Office of Personnel Management in accordance with official personnel programs and activities as a routine use.

m. To an expert, consultant, or a contractor of GSA to the extent necessary to further the performance of a Federal duty.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper forms.

Retrievability: Name.

Safeguards: When not in use by an authorized person, these records will be stored in lockable metal file cabinets or in secured areas.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: The official responsible for this system is the Director of Administrative Services, 18th & F Sts. NW., Washington, DC 20405. Since this is a geographically dispersed system, individuals may gain access to it by contacting the officials at locations as listed in the appendix following notice GSA/HRO-9.

Notification procedure: The address of the agency offices to which inquiries should be addressed and addresses of locations at which the individual may present a request as to whether a system contains records pertaining to himself or herself is the same as that shown in the appendix following notice GSA/HRO-9. Individuals should provide name, social security number, period of employent, and position held to assist the office in locating the record.

Record access procedures: An individual can obtain information on the procedures for gaining access to an contesting records form the Director, Office of Administrative Services, or Regional Director, Administrative Services Division, as shown in the appendix following notice GSA/HRO-9.

Contesting record procedures: GSA rules for access to system of records, contesting the contents of system of record, and appealing initial determination are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: Information is provided by employee being issued credential and issuing official.

GSA/HRO-9 (23-00-0104)

System name: Emergency Notification Rosters and Files.

System location: This system of records is maintained in the Office of Administrative Services, 18th & F Sts. NW., Washington, DC and in the regional Administrative Services Divisions listed in the appendix following this notice. In addition, subsidiary records are maintained by the Central Office and regional offices which have provided input into this system of records.

Categories of individuals covered by the system: GSA officials at division director level and above, and GSA officials and employees with emergency assignments.

Categories of records in the system: Records consist of GSA Form 2177, Roster of GSA Officials; employee emergency assignments; and essential residence telephone service. Information includes name, office and home telephone numbers, home address, title and emergency assignment.

Authority for maintenance of the system: The Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. To maintain current directory information on key GSA regional office officials or for use by the Central Office contact point during weekends, holidays, and emergencies; provide essential telephone service to key employees during emergencies; and to notify officials and employees under emergency conditions.

b. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the General Services Administration (GSA) becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

c. To provide information to a Member of Congress or to a congressional staff member from the records of an individual in response to an inquiry from that congressional office made at the request of that individual.

d. To disclose information to another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

e. To disclose information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of a job, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

f. By the Office of Personnel Management in the production of summary descriptive statistics in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

g. To disclose information to the Office of Management and Budget in connection with the review of private relief legislation at any stage of the legislative coordination and clearance process.

h. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

i. To disclose information to officials of the Merit Systems Protection Board, including the Office of Special Counsel; the Federal Labor Relations Authority and its General Counsel; or the Equal Employment Opportunity Commission when requested in performance of their authorized duties.

j. To an authorized appeal or grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee.

k. To the Office of Personnel Management in accordance with the agency's responsibility for evaluation of Federal personnel management.

l. To the extent that official personnel records in the custody of GSA are covered within systems of records published by the Office of Personnel Management as Government-wide records, they will be considered as a part of that Government-wide system. Other official personnel records covered by notices published by GSA and considered to be separate systems of records may be transferred to the Office of Personnel Management in accordance with official personnel programs and activities as a routine use.

m. To an expert, consultant, or a contractor of GSA to the extent necessary to further the performance of a Federal duty.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Indexed by name.

Safeguards: When not in use by an authorized person, these records will be stored in lockable metal file cabinets, or in secured areas, except for cascade lists which are kept in the possession of each applicable individual.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: The official with overall responsibility for the system of records is the Director of Administrative Services, 18th & F Sts., NW., Washington, DC 20405. Officials responsible for the regional system of records are the applicable regional directors as shown in the appendix following this notice.

Notification procedure: Employees may obtain information as to whether they are part of this system of records from the Director of Administrative Services or the applicable regional director as shown in the appendix following this notice.

Record access procedures: An individual can obtain information on the procedures for gaining access to records from the Director of Administrative Services or the applicable regional director listed in the appendix following this notice.

Contesting record procedures: GSA rules for access to system of records, contesting the contents of a system of record and appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: Information is provided by subject individuals, their supervisors, or the applicable service and staff office.

GSA/HRO-10

System name: Grievance Records.

System location: These records are located in the personnel offices of GSA at the location listed in the appendix following the notice GSA/HRO-6 or designated offices in GSA in which the grievances were filed.

Categories of individuals covered by the system: Current or former employees who have submitted grievances with GSA in accordance with Part 771 of the Office of Personnel Management (OPM) Regulations (5 CFR Part 771) or a negotiated procedure.

Categories of records in the system: The system contains records relating to grievances filed by agency employees under Part 771 of the OPM regulations. These case files contain all documents related to the grievance including statements of witnesses, reports of interviews and hearings, examiner's findings and recommendations, a copy of the original and final decision, and related correspondence and exhibits. This system includes files and records of internal grievance and arbitration systems that are established through negotiations with recognized labor organizations.

Authority for maintenance of the system: 5 U.S.C. 1302, 3301, and 3302; E.O. 10577; 3 CFR 1954-1958 Comp., p218; E.O. 10987; 3 CFR 1959-1963 Comp., p519.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to any source from which additional information is requested in the course of processing a grievance, to the extent necessary to identify the individual, inform the source of the purposes(s) of the request, and identify the type of information requested.

c. To disclose information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security of suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to requesting the agency's decision on the matter.

d. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

e. To disclose information to another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

f. By GSA or the Office of Personnel Management in the production of summary description statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

g. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel; the Federal Labor Relations Authority and its General Counsel, or the Equal Employment Opportunity Commission when requested in performance of their authorized duties.

h. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

i. To provide information to officials of labor organizations reorganized under the Civil Service Reform Act when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting work conditions.

j. To an expert, a consultant, or a contractor of GSA to the extent necessary to further the performance of a Federal duty.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders.

Retrievability: These records are retrieved by the names of the individuals on whom they are maintained.

Safeguards: These records are maintained in lockable metal filing cabinets to which only authorized personnel have access.

Retention and disposal: These records are disposed of 3 years after closing of the case. Disposal is by shredding or burning.

System manager(s) and address: The Director of Personnel, 18th and F Streets NW., Washington, DC 20405. Mailing address: General Services Administration (HP), Washington, DC 20405.

Notification procedure: It is required that individuals submitting grievances be provided a copy of the record under the grievance process. They may, however, contact the GSA personnel, or other designated office, where the action was processed regarding the existence of such records on them. They must furnish the following information for their records to be located and identified: Name, date of birth, approximate date of closing of the case and kind of action taken, and the organization component involved.

Record access procedures: It is required that individuals submitting grievances be provided a copy of the record under the grievance process. However, after the action has been closed, an individual may request access to the official copy of the grievance file by contacting the GSA personnel or designated office where the action was processed. Individuals must provide the following information for their records to be located and identified: Name, date of birth, approximate date of closing of the case and kind of action taken, and organization component involved. Individuals requesting access must also follow the GSA regulations as outlined in 41 CFR Part 105-64 regarding access to records.

Contesting record procedures: Review of requests from individuals seeking amendment of their records which have been the subject of a judicial or quasi-judicial action will be limited in scope. Review of amendment requests of these records will be restricted to determine if the record accurately documents the action of GSA's ruling on the case and will not include a review of the merits of the action, determination, or finding. Individuals wishing to request amendment to their records to correct factual errors should contact the GSA personnel or designated office where the grievance was processed. Individuals must furnish the following information for their records to be located and identified: Name, date of birth, approximate date of closing of the case and kind of action taken, and organizational component involved. Individuals must also follow the GSA Privacy Act regulations regarding amendment to records (ADM 7900.4).

Record source categories: Information in this system of records is provided by the individual on whom the record is maintained, by testimony of witnesses, by agency officials, and from related correspondence from organizations or persons.

Appendix GSA/HRO Addresses of Locations of Administrative Services Divisions

Central Office
Office of Administrative Services (HR), General Services Administration, 18th and F Streets NW., Washington, DC 20405.

Regional Offices
Region 1: Director, Administrative Services Division (1BR), General Services Administration, McCormack Post Office and Courthouse, Boston, MA 02109.

Region 2: Director, Administrative Services Division (2BR), General Services Administration, 26 Federal Plaza, New York, NY 10007.

Region 3: Director, Administrative Services Division (3BR), General Services Administration, Ninth and Market Streets, Philadelphia, PA 19107.

National Capital Region: Director, Administrative Services Division (WBR), General Services Administration, 7th and D Streets SW., Washington, DC 20497.

Region 4: Director, Administrative Services Division (4BR), General Services Administration, Richard B. Russell Building, Atlanta, GA 30303.

Region 5: Director, Administrative Services Division (5BR), General Services Administration, 230 South Dearborn Street, Chicago, IL 60604.

Region 6: Director, Administrative Services Division (6BR), General Services Administration, 1500 E. Bannister Road, Kansas City, MO 64131.

Region 7: Director, Administrative Services Division (7BR), General Services Administration, 819 Taylor Street, Fort Worth, TX 76102.

Region 8: Director, Administrative Services Division (8BR), General Services Administration, Denver Federal Center, Bldg. 41, Denver, CO 80225.

Region 9: Director, Administrative Services Division (9BR), General Services Administration, 525 Market Street, San Francisco, CA 94105.

Region 10: Director, Administrative Services Division (10BR), General Services Administration, GSA Center, Auburn, WA 98002.

GSA/HRO-37 (23-00-0110)

System name: Security files.

Security classification: Some of the material contained in the system has been classified in the interests of the national security pursuant to Executive Order 12065.

System location: Personnel security files pertaining to Senior Executive Service (SES) and Schedule C employees are maintained in the Office of Ethics (AK), GS Building, 18th and F Sts. NW., Washington, D.C. All other files are maintained in the Office of Internal Security (AII), GS Building, 18th and F Sts. NW., Washington, D.C. 20405.

Categories of individuals covered by the system: Individuals covered by the system are employees, applicants for employment, and former employees of GSA and of commissions, committees, and small agencies serviced by GSA. Also included are historical researchers, experts or consultants, and employees of contractors performing services under GSA jurisdiction.

Categories of records in the system: Personnel security files contain information such as name, date and place of birth, address, social security number, education, occupation, experience, and investigatory material. These records are used as basis for issuance of security and ADP clearances; suitability determinations; and civil, criminal, and administrative action. Information security files contain records of security violations which may include employees' names and positions. These records are used for recommending administrative action against employees found to be in violation of GSA document security regulations. The assets protection files contain survey and inspection reports of all GSA owned or leased facilities and may include employees' names and positions. These records are used for recommending assets protection measures and procedures.

Authority for maintenance of the system: Executive Order 10450, April 27, 1953, as amended; Executive Order 12065, June 28, 1978; 31 U.S.C. 686; and 40 U.S.C. 318 (a) through (d).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the General Services Administration (GSA) becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To provide information to a Member of Congress or to a congressional staff member from the records of an individual in response to an inquiry from that congressional office made at the request of that individual.

c. To disclose information to another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

d. To disclose information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of a job, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

e. To an expert, consultant, or a contractor of GSA to the extent necessary to further the performance of a Federal duty.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders, microfiche in cabinets, and computer records in conjunction with the system of records GSA/PPFM-4 and attached equipment.

Retrievability: Paper records are retrieved manually by name from files that are indexed alphabetically and filed numerically by location and incident. Microfiche and computer records are filed alphabetically or by social security number.

Safeguards: Records are stored in locked, alarmed room and/or three way combination dial safes with access limited to authorized employees. Passwork system protects access to computer records. Information is released only to officials on a need-to-know basis.

Retention and disposal: Disposition of records is in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2). Records are destroyed by burning, pulping, or shredding.

System manager(s) and address: The official responsible for the personnel security files pertaining to SES and Schedule C employees is the Director of the Office of Ethics (AK), 18th and F Streets NW., Washington, DC 20405. The official responsible for all other files in the system is the Director of Internal Security (AII), 18th and F Streets NW., Washington, DC 20405.

Notification procedure: Inquiries by individuals as to whether the system contains a record pertaining to themselves should be addressed to the applicable system manager.

Record access procedures: Requests from individuals for access to records should be addressed to the applicable system manager and should include full name (maiden name where appropriate), address, and date and place of birth. Only general inquiries may be made by telephone.

Contesting record procedures: GSA rules for access to records and for contesting the contents and appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: Individuals, employees, informants, law enforcement agencies, other Government agencies, employees references, co-workers, neighbors, educational institutions, and intelligence sources.

Systems exempted from certain provisions of the act: In accordance with 5 U.S.C. 552a(k), the personnel security case files in this system of records are exempt from subsections (c)(3); (d); (e)(1); (e)(4)(G), (H), and (I); and (f) of the act.

GSA/PPFM-1 (23-00-0032)

System name: Disbursement and Accounts Payable Files.

System location: The system is located in the General Services Administration Central Office service and staff offices and other GSA offices at the addresses listed in the appendix following notice GSA/PPFM-6.

Categories of individuals covered by the system: Current and former employees.

Categories of records in the system: The system provides for reporting each account's status. Accordingly, records may include but are not limited to name, address, telephone number, vendor identification number, and social security number.

Authority for maintenance of the system: 31 U.S.C. 65 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To the extent necessary the records are available outside GSA to monitor and document adverse action proceedings, and advise on credit inquiries. The routine use statements A, D, and E, described in the appendix following the GSA notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders and card files.

Retrievability: Filed alphabetically by name or identifying number.

Safeguards: Stored in guarded buildings and/or in areas controlled by authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2)

System manager(s) and address: Chief, Financial Systems Branch, Communications and ADP Accounting Division, General Services Administration, 18th & F Sts. NW., Washington, DC 20405. Mailing address: General Services Administrations (BCNP), Washington, DC 20405.

Notification procedure: Individuals may obtain information about whether they are part of this system of records from the finance office at the appropriate address listed in the appendix following the notice GSA/PPFM-6 or the Chief, Financial Systems Branch, at the above address.

Record access procedures: Request to access records should be directed to the finance officer at the appropriate address listed in the appendix following notice GSA/PPFM-6. Inquiries should provide full name, social security number, vendor number, address, and telephone number and appropriate dates and transactions giving rise to the record. For identification requirements, refer to the agency regulations as outlined in 41 CFR Part 105-64.

Contesting record procedures: GSA rules for access to records and for contesting the contents and appealing the initial determinations are promulgated in 41 CFR Part 105-64 published in the Federal Register.

Record source categories: The individuals themselves, employees, other agencies, management officials, and non-Federal sources such as private firms.

GSA/PPFM-3 (23-00-0034)

System name: Travel System.

System location: This system is located in the General Services Administration (GSA) Central Office service and staff offices and other GSA offices at the addresses listed in the appendix following notice GSA/PPFM-6

Categories of individuals covered by the system: Individuals include employees and former employees of GSA and other independent offices and commissions, such as Presidential commissions, serviced by GSA including those persons other than full time employees authorized to travel on Government business.

Categories of records in the system: This system provides control over expenditure of funds for travel and related expenses. Therefore, provisions are made to authorize travel, provide and account for advances, and to pay for travel costs. In this connection, the system contains records which may include, but are not limited to, name, social security number, residence address, dependents names and ages, duty stations, and itinerary.

Authority for maintenance of the system: 5 USC 5701-5709.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine use statements A, B, C, D, E, F, and G, described in the appendix following the GSA notices, apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders and card files and magnetic tape files.

Retrievability: Filed alphabetically.

Safeguards: Stored in guarded buildings and/or in areas controlled by authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Chief, Payroll, Travel, and Property Liaison Branch, General Services Administration, 18th & F Sts. NW., Washington, DC 20405. Mailing address: General Services Administration (BCAP), Washington, DC 20405.

Notification procedure: Current employees may obtain information about whether they are a part of this system of records from their supervisor or finance office at the appropriate address listed in the appendix or from the Chief, Payroll, Travel, and Property Accounting Liaison Branch, at the above address, whichever is applicable. Former employees may obtain information from the finance office at the appropriate address listed in the appendix following notice GSA/PPFM-6.

Record access procedures: Requests to access records from current employees should be directed to the employee's supervisor, the appropriate regional finance offices, or to the Chief, Payroll, Travel, and Property Accounting Liaison Branch, at the address listed in the appendix following GSA/PPFM-6. Former employees should direct requests to access records to the appropriate regional finance officer or the the Chief, Payroll, Travel, and Property Accounting Liaison Branch, at the address listed in the appendix following notice GSA/PPFM-6. For written request, former employees should provide full name, social security number, address, and telephone number, and approximate dates and places of employment. For identification requirements, refer to the agency regulations as outlined in 41 CFR Part 105-64.

Contesting record procedures: GSA rules for access to records and for contesting the contents and appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: The individuals themselves, other employees, supervisors, other agencies, management officials, and non-Federal sources such as private firms.

GSA/PPFM-5 (23-00-0036)

System name: Payroll, Time and Attendance Reporting System.

System location: The system is located in the General Services Administration Central Office service and staff offices and other offices wherever there are timekeepers and at the addresses listed in the appendix following notice GSA/PPFM-6

Categories of individuals covered by the system: Current and former employees.

Categories of records in the system: The system provides for reporting each employee's status as either on the job time or as paid or unpaid time including absences without authorized leave. Accordingly, records include but are not limited to name, home address, telephone number, work location, social security number, hours of duty and attendance information for processing of the data to the Manpower and Payroll Statistics System.

Authority for maintenance of the system: 5 U.S.C., Part III, is the authority for the overall system. Specific authority for use of Social Security Number is contained in Executive Order 9397.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To the extent necessary, the records are available outside GSA to monitor and document grievance proceedings, EEO complaints, and adverse actions; and to conduct counseling sessions. The routine use statements A, B, C, D, E, F, and G, described in the appendix following the GSA notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in filed folders and card files.

Retrievability: Filed alphabetically by name.

Safeguards: Stored in guarded buildings and/or in areas controlled by authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Chief, Payroll, Travel, and Property Accounting Liaison Branch, General Services Administration, 18th and F Streets NW., Washington, DC 20405. Mailing address: General Services Administration (BCAP), Washington, DC 20405.

Notification procedure: Current employees may obtain information about whether they are part of this system of records from their supervisor or from the Chief, Payroll, Travel, and Property Accounting Liaison Branch, Office of Finance, at the General Services Administration, 18th & F Sts. NW., Washington, DC 20405, whichever is applicable. Former employees may obtain information at the address listed above.

Record access procedures: Requests from current or former employees to access records should be directed to the employees' supervisor or to the Chief, Payroll, Travel, and Property Accounting Liaison Branch, Office of Finance, at the address noted above, whichever is applicable. For written request, former employee should provide full name, social security number, address, and telephone number, and approximate dates and places of employment. For identification requirements, refer to the agency regulations as outlined in 41 CFR Part 105-64.

Contesting record procedures: GSA rules for access to records, for contesting the contents, and appealing initial determinations are promulgated in 41 CFR Part 105-64 published in the Federal Register.

Record source categories: The individuals themselves, other employees, supervisors, other agencies, management officials, and non-Federal sources such as private firms.

GSA/PPFM-6 (23-00-0100)

System name: Employee Credit Reports GSA/OAD.

System location: The system is located in the General Services Administration, Office of Finance, Financial Management Division, Credit and Finance Branch, 18th & F Sts. NW., Washington, DC 20405.

Categories of individuals covered by the system: Present and former employees who have refused to abide by the terms of their training agreement and/or other employment related contracts, and thereby have incurred a liability to the Government. If appropriate, similar information will be gathered on spouses.

Categories of records in the system: The categories of records are as follows: Name and address; age; number of dependents; name of employer; nature of business; position held/length held; full time or part-time employment; prospects for continued permanent employment; net worth and what it consist of; annual earned income; additional income; reputation; credit record; and financial record and personal history. Records are used in GSA to investigate employees who have defaulted on employment related contracts.

Authority for maintenance of the system: 31 U.S.C. 951-953.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referred to GAO. The routine use statement A described in the appendix following the GSA notices, also applies to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records for both GSA and the contractor will be stored on paper.

Retrievability: The records within the system will be kept in alphabetical order by name.

Safeguards: All correspondence between GSA and the contractor will be secured in a locked cabinet in the Credit and Finance Branch. Only those people designated authority will handle this data. The contractor will retain his or her records in a secured office.

Retention and disposal: Disposal is in accordance with HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Chief, Credit and Finance Branch, Financial Management Division, Office of Finance, 18th & F Sts. NW., Washington, DC 20405. Mailing address: General Services Administration (BCFC), Washington, DC 20405.

Notification procedure: Information may be obtained from the official listed above.

Record access procedures: Procedures for contesting records are contained in 41 CFR Part 105-64.

Contesting record procedures: Procedures for access to records are contained in 41 CFR Part 105-64.

Record source categories: Credit companies, individuals, employers/supervisors, former employers, banks, and GSA contracted credit investigators.

GSA/PPFM-7

System name:

Credit Data on Individual Debtors.

System location:

Records are located at the following General Services Administration Office of Finance and Office of General Counsel Central Office of regional offices addresses:

GS Building, 18th and F Streets, NW, Washington, DC 20405

John W. McCormack Post Office and Courthouse, Boston, MA 02109
Jacob K. Javits Federal Building, 26 Federal Plaza, New York, NY 10007
Regional Office Building, Ninth and Market Street, Philadelphia, PA 19107
Richare B. Russell Federal Building, 75 Spring Street, SW, Atlanta, GA 30303
John C. Kluczynski Federal Building, 230 South Dearborn Street, Chicago, IL 60604
General Services Administration, 1500 East Bannister Road, Kansas City, MO 64131
Fritz G. Lanham Federal Building, 819 Taylor Street, Fort Worth, TX 76102
Denver Federal Center Complex, Building 41, Denver, CO 80225
General Services Administration, 525 Market Street, San Francisco, CA 94105
GSA Center, Auburn, WA 98002
GSA Regional Office Building, Seventh and D Streets, SW, Washington, DC 20407

Categories of individuals covered by the system:

Individuals include employees and former employees and other individuals who are indebted to the United States.

Categories of records in the system:

Types of personal data in the system may take the form of commercial credit reports, agency investigative reports showing the debtor's assets and liabilities and his or her income and expenses, the individual debtors own financial statements executed under penalty of perjury reflecting his or her assets and liabilities and income and expenses, and other information such as social security number and home address.

Authority for maintenance of the system:

Federal Claims Collections Act of 1966, 80 Stat. 309, 31 U.S.C. 952; Debt Collection Act of 1982, Pub. L. 97-365; and Title 4 Code of Federal Regulations, Chapter II, Part 105.

Purpose(s):

To assemble in one system information on individuals who are indebted to the General Services Administration for the purpose of determining if there is a reasonable prospect of effecting enforced collections from the debtors.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. When debtors fail to make payment through normal collection routines, credit data is analyzed to determine the feasibility of enforced collection by referring the cases to the Department of Justice for litigation. Credit data becomes an integral part of claim files forwarded to the General Accounting Office and/or the Department of Justice as prescribed in the Joint Federal Claims Collections Standards (4 CFR Ch II).

b. Records may be disclosed to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

c. Records may be disclosed to other Federal agencies where an applicant for employment or a current employee of the agency is delinquent in repaying his/her Federal financial obligation. The purpose of this disclosure is to enlist the agency's cooperation in facilitating repayment.

d. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, such as the General Accounting Office, the Office of Management and Budget, the Department of Justice, and State agencies charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

e. A record from this system of records may be disclosed to a Federal agency in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

f. Records may be disclosed to a debt collection agency that GSA has contracted for collection services to recover indebtness owed to the United States.

g. Information contained in the system of records may be disclosed to the Internal Revenue Service to obtain taxpayer mailing addresses for the purpose of locating such taxpayer to collect or compromise a Federal claim against the taxpayer.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are in paper form, maintained in file folders, and stored in metal filing cabinets.

Retrievability:

Credit data is maintained by debtor name and claim number, cross referenced to social security number (when available) to verify name and address.

Safeguards:

When not in use by personnel responsible for the collection of claims, records are stored in lockable filing cabinets.

Retention and disposal:

These records are a part of the GAO site auditing collection files and are cut-off at the end of the fiscal year, held 1 year, and then retired under Record Group 217 (GAO). Records created prior to July 2, 1975, will be retained by GAO for 10 years and 3 months after the period of the account. Records created on or after July 2, 1975, will be retained by GAO for 6 years and 3 months after the period of the account.

System manager(s) and address:

Chief, Credit and Finance Branch, Financial Management Division, Office of Finance, 18th and F Streets, NW, Washington, DC 20405.

Notification procedure:

Inquiries by individuals regarding claims pertaining to themselves should be addressed to the system manager.

Record access procedures:

Requests from individuals for access to records should be addressed to the system manager and should include name and address.

Contesting record procedures:

GSA rules for contesting the contents of the records and for appealing initial determinations are promulgated in 41 CFR 104.64.

Record source categories:

Information in this system is obtained from commercial credit reports, agency investigative reports, individual debtors own financial statements, and from other GSA system of records.

GSA/PPFM-8

System name: Personnel Information Resources System (PIRS).

System location:

This system of records is located in the General Services Administration Central Office service and staff offices; commissions, and small agencies serviced by GSA; and other GSA offices at the following addresses:

GS Building, 18th and F Streets NW., Washington, DC 20405.
Crystal Mall Building 4, 1941 Jefferson Davis Highway, Arlington, VA 20406.
GSA Regional Office Building, Seventh and D Streets, SW., Washington, DC 20407.
Jacob K. Javits Federal Building, 26 Federal Plaza, New York, NY 10278.
Regional Office Building, Ninth and Market Streets, Philadelphia, PA 19107.
Richard B. Russell Federal Building, 75 Spring Street, SW., Atlanta, GA 30303.
John C. Kluczynski Federal Building, 230 South Dearborn Street, Chicago, IL 60604.
General Services Administration, 1500 East Bannister Road, Kansas City, MO 64131.
General Services Administration, 819 Taylor Street, Fort Worth, TX 76102.
General Services Administration, 525 Market Street, San Francisco, CA 95105.

Categories of individuals covered by the system: Individuals covered by the system are current and former employees of the General Services Administration and of commissions, committees, and small agencies serviced by GSA including applicants for employment and persons in intern, youth employment, and work study programs.

Categories of records in the system: The files in the system consist of employee development and training records, personnel security records, EEO records, and personnel records. Each file uses data elements of the core system but also has unique data elements of its own. Records include information collected by operating officials as well as personnel, security, safety, civil rights, and finance officials in administering their program areas in matters for or about employees. In addition, the system has data necessary to update the Central Personnel Data File at the Office of Personnel Management and process personnel actions. The system has a large number of records which may include the following categories of records:

a. Employee identification and status data such as name, social security number, date of birth, sex, work schedule, type of appointment, education, veteran's preference, military service, and race/national origin.

b. Employee date data such as service computation date for leave, date probationary period began, and date of performance rating.

c. Position and pay data such as pay plan, occupational series, grade, step, salary, and organization location.

d. Award and suggestion data such as type and amount of award, suggestion number, estimated benefits, amount, and performance rating.

e. Employment data such as merit pool identifier, position description, special employment program, and target occupational series and grade.

f. Personnel security data such as security clearance level and basis with dates.

g. Employee development and training data such as type of training; course title, date training completed; and hours, cost and evaluation of training.

h. Equal employment opportunity data such on EEO complaints, processing such as complaint, complaint basis, decision finding, corrective action, EEO counselor's name, data entered collateral duty, and number of individuals counseled.

i. Tables of data for editing, reporting, and processing personnel and pay actions. These include Nature of Action Codes, Civil Service Authority Codes, Standard Remarks, Signature Table, Position Title Table, Organization Table, and Salary Table.

Authority for maintenance of the system: 5 U.S.C., Part III, is the authority for the system. Specific authority for use of Social Security numbers is in Executive Order 9397, 26 CFR 31.6011(b)2, and 26 CFR 31.6109-1. Authority for the personnel security clearance and statistical records is in Executive Order 10450, April 27, 1953, as amended; Executive Order 12365, April 2, 1982, and 31 U.S.C. 1535. Authority for the EEO records is in the Equal Employment Opportunity Act of 1972, 42 U.S.C. 2000e-16; the Civil Service Reform Act of 1978; 5 U.S.C. 7201; and 29 CFR Part 1613, Subpart C.

Purpose(s):

To assemble in one system information on a comprehensive computerized information system supporting the day to day operating requirements associated with personnel oriented program areas from hiring, paying, and training employees top calculating estimated retirement annuities. The system, which is patently designed to meet personnel information and statistics needs to all types and sizes of Government organizations, achieves many benefits from each data element introduced into the system. To accomplish the above, the system does provide a number of outputs. For the Office of Personnel, the system produces automated personnel actions as well as oprganization rosters, retention registers, retirement calculations, reports of the Federal civilian employment, employee master record printouts, length of service and award list, and listing grade increases. It also produces reports that aid in monitoring personnel action to decide if policies and/or practices have an impact on minorities, women, and disabled persons; analyzing the status of minorities, women, and disabled persons in GSA's work force; and establishing affirmative action goals as timetables. For the Office of Internal Security, the system produces reports for issuing security and ADP clearance for the Office of Civil Rights, the system produces reports that aid in evaluating civil rights programs; processing and monitoring discrimination complaints; and reporting to the Congress, Equal Employment Opportunity Commission, Office of Management and Budget, and Office of Personnel Management, among others. For the Office of Training, the system produces reports to include status of training; organizational, nationwide, and monthly summaries of training, organizational, regional, and quarterly summaries of training hours by type; training by source; and cumulative employee training records. For the Office of Federal Protection and Safety the system produces a report used in compiling statistics on personal injuries within GSA. The system also provides data to various agency staff and administrative offices to use for management purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. To disclose information to the Office of Personnel Management for the Central Personnel Data File (CPDF).

b. To disclose information to other sources outside GSA to monitor and document grievance proceedings, EEO complaints, and adverse actions; to other agencies and persons for employees seeking employment elsewhere; to conduct counseling sessions; and to prepare biographical employees sketches for release to other agencies and persons.

c. To disclose the executive health maintenance list to management officials and Health Unit Officials. This listing is of all employees over 40 years old who are qualified for the Executive Health Maintenance Program.

d. To disclose information in the personnel security file to the Office of Internal Security. The routine uses listed in the GSA system of records GSA/HRO-37, Security Files, also apply to this information.

e. To disclose information in the employee development and training file to the Office of Training. In addition this file is used to measure actual progress against planned training, prepare and aid in evaluations for merit promotions.

f. To disclose information in the equal employment opportunity file to the Office of Civil Rights. The routine uses listed in the Equal Employment Opportunity Commission system of records EEOC/GOVT-1 also apply to this information. In addition this file is used to provide support to the Director of Civil Rights, Central Office EEO staff members, Central Office division directors, and Regional EEO officers in performing their duties.

g. To disclose information in the personnel file to the Office of Personnel.

h. To disclose information to the Office of Federal Protection and Safety for compiling statistical information on personal injuries of GSA employees.

i. To disclose information to various agency staff and administrative offices who may restructure the data for their management purposes.

j. To disclose information to a Federal, State, local, or foreign agency responsible for investigating, prosecuting, enforcing, or carrying out a statute, rule, regulation, or order, where the General Services Administration becomes aware of a violation or potential violation of civil or criminal law or regulation.

k. To disclose information to a Federal, State, or local agency keeping civil, criminal, enforcement, or other information to get information relevantin making a decision on hiring or retaining an employee; issuing a security clearance; letting a contract; or issuing a license, grant, or other benefit.

l. To disclose information to a requesting Federal agency in connection with hiring or retaining an employee; issuing a security clearance; reporting an employee investigation; clarifying a job; letting a contract; or issuing a license, grant, or other benefit by the requesting agency where the information is relevant and necessary for a decision.

m. To disclose information to an appeal, grievance, or formal complaints examiner; equal employment opportunity investigator; arbitrator; exclusive representative; or other official engaged in investigating, or settling a grievance, complaint, or appeal filed by an employee.

n. To disclose information to a Member of Congress or a congressional staff member in response to an inquiry from that congressional office made in behalf of a constituent.

o. To disclose information to the Office of Management and Budget in connection with reviewing private relief legislation at any state of the coordination and clearance process.

p. To disclose information to an expert, a consultant, or contractor of GSA in performing a Federal duty.

q. To disclose information to a physician to conduct a medical examination or evaluation of a GSA employee.

r. To disclose information to the Office of Personnel Management under the agency's responsibility for evaluating Federal personnel management. When official personnel records in the custody of GSA are covered in the system of records published by the Office of Personnel Management as Government-wide records, they are considered part of that system. Other official personnel records covered by notices published by GSA are separate systems of records and may be transferred to the Office of Personnel Management under official personnel programs and activities as a routine use.

s. To disclose information according to the routine uses listed in the Office of Personnel Management system of record OPM/GOVT-1.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders, card files, and cabinets; microfilm records in reels and cabinets; microfiche in cabinets; magnetic tapes and cards in cabinets and storage libraries, and computer records within a computer and attached equipment.

Retrievability: Filed alphabetically at each location by name and social security number, or both methods for each person.

Safeguards: Records stored in lockable metal containers or in secured rooms. Computerized records protected by password system. Information release only to authorized officials on a need-to-know basis.

Retention and disposal: Disposal of records is described in the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: PIRS Project Director, Employment Policy Division, Office of Personnel, General Services Administration (EPP), Washington, D. C. 20405.

Notification procedure:

Inquiries by individuals should be addressed to:

a. Director of Personnel, General Services Administration (CP), 18th and F Streets, NW, Washington, DC 20405; or the Regional Personnel Officer at the addresses listed above for personnel records.

b. Director, Office of Internal Security, General Services Administration (ATOIP), 18th and F Streets NW, Washington, DC 20405 for personnel security records.

c. Director, Office of Civil Rights, General Services Administration (ETC), 18th and F Streets NW, Washington, DC 20405 for EEO records.

d. Director, Office of Training, General Services Administration (ETD), 18th and F Streets, NW, Washington, DC 20405 for employee development and training records.

e. Director, Fire and Safety Division, General Services Administration (PSA), 18th and F Streets, NW, Washington, DC 20405 for personal injury records.

f. Office which employee worked for management records.

Record access procedures: Requests from individuals should be addressed to the officials listed in the notification procedures portion of this notice. For written requests, individuals should provide full name, social security number, address, telephone number, and approximate dates and place of employment. For identification requirements, refer to the agency regulations as outlined in 41 CFR Part 105-64.

Contesting record procedures: GSA rules for contesting the contents and appealing initial decisions are issued in 41 CFR Part 105-64, of the Federal Register.

Record source categories: Individuals themselves, other employees, supervisors, other agencies management officials, non-Federal sources such as private firms, and data from the systems of records GSA/HRO-37, OPM/GOVT-1, and EEOC/GOVT-1.

Systems exempted from certain provisions of the act: Under 5 U.S.C. 552a(k), the personnel security files in this system of records are exempt from subsections (c)(3); (d); (e)(1), (e)(4)(G), (H), and (I); and (f) of the act.

GSA/PPFM-9

System name:

Payroll Information Processing System.

System location:

This system of records is located in the General Services Administration Finance Division in Kansas City, MO, commissions, committees, and small agencies serviced by GSA, and administrative offices throughout GSA.

Categories of individuals covered by the system:

Individuals covered by the system are current and former employees of GSA and of commissions, committees, and small agencies serviced by GSA including applicants for employment and persons in intern, youth employment, and work study programs.

Categories of records in the system:

The files in this system are payroll records. They consists of information accumulated by operating officials as well as personnel and finance officials in administering their program areas in matters for or about employees. Also, the system has data necessary to process personnel actions, perform detailed accounting distributions, automatically provide for such tasks as mailing checks and bonds, and prepare and mail tax returns and reports. The system has a large number of records which may include:

a. Employee identification and status data such as name, Social Security number, date of birth, sex, work schedule, and type of appointment.

b. Employee date data such as service computation data for leave.

c. Position and pay data such as pay plan, occupational series, grade, step, salary, organization location, and accounting distribution.

d. Award and suggestion amount data.

e. Employment data such as position description.

f. Payroll data such as time; attendance; leave; Federal, State, and local tax; allotments; savings bonds; and other pay allowances and deductions.

g. Tables of data for editing, reporting, and processing personnel and pay action which include Nature of Action Codes, Organization Table, and Salary Table.

Authority for maintenance of the system:

5 U.S.C. Part III is the authority for the system. Specific authority for use of Social Security numbers is in Executive Order 9397, 26 CFR 31.6011(b)(2), and 26 CFR 31.6109-1.

Purpose(s):

To assemble in one system information supporting the day to day operating needs associated with payroll oriented program areas. This system is a comprehensive computerized information system which is patently designed to meet payroll statistic needs of all types and sizes of Government organizations and achieve multiple benefits from each data element introduced into the system. To accomplish the above, the system provides a number of outputs. For the payroll office, outputs include a comprehensive payroll; detailed accounting distribution of costs; leave data summary reports; an employee's statement of earnings, deductions, and leave every payday; State, city, and local unemployment compensation reports; Federal, State, and local tax reports; W-2 wage and tax statements; and reports of withholding and contributions. For the Office of Personnel, outputs include data for reports of Federal civilian employment. The system also outputs data to various agency staff and administrative offices to use for management purposes.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. To disclose information to a Federal, State, local, or foreign agency responsible for investigation, prosecuting, enforcing, or carrying out a statute, rule, regulation, or order, where the agencies become aware of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to a Member of Congress or a congressional staff member in response to an inquiry from that congressional office made at the request of that individual.

c. To disclose information to an expert, a consultant, or contractor of the agency in performing a Federal duty.

d. To disclose information to a Federal, State, or local agency keeping civil, criminal, enforcement, or other information to get information relevant in making a decision on hiring or retaining an employee; issuing a security clearance; letting, a contract; or issuing a license, grant or other benefit.

e. To disclose information to a requesting Federal agency in connection with hiring or retaining an employee; issuing a security clearance; reporting an employee investigation; clarifying a job; letting a contract; or issuing a license, grant, or other benefit by the requesting agency where the information is relevant and necessary for a decision.

f. To disclose information to an appeal, grievance, or formal complaints examiner; equal employment opportunity investigator; arbitrator, exclusive representative or other official engaged in investigating, or settling a grievance, complaint, or appeal filed by an employee.

g. To disclose information to the Office of Mangement and Budget in connection with reviewing private relief legislation at any state of the coordination and clearance process.

h. To disclose a copy of the Department of the Treasury Form W-2, Wage and Tax Statement to the State, city, or other local jurisdiction which is authorized to tax the employee's compensation. The record is provided by a withholding agreement between the State, city, or other local jurisdiction and the Department of the Treasury under 5 U.S.C. 5516, 5517, and 5520.

i. To disclose copies of executed city tax withholding certificates to a requesting city official from the Comptroller, General Services Administration (B), Washington, DC 20405.

j. To disclose information to the Office of Personnel for reports of Federal civilian employment.

k. To disclose information to various agency administrative offices who may restructure the data for their management purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folder, card files and cabinets; microfilm records in reels and cabinets; microfiche in cabinets; magnetic tapes and cards in cabinets and storage libraries; and computer records within a computer and attached equipment.

Retrievability:

Filed by name and/or social security number at each location.

Safeguards:

Records stored in lockable containers or secured rooms. Computerized records protected by password system.

Retention and disposal:

Disposal of records is described in the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address:

Chief, System Staff, Office of Regional Comptroller, General Services Administration (6BCS), 1500 East Bannister Road, Kansas City, MO 64131.

Notification procedure:

Inquiries from individuals should be addressed to the system manager.

Record access procedures:

Requests from individuals should be addressed to the system manager. Individuals must furnish their full name, Social Security number, address, telephone number; and approximate dates and place of employment. For indentification requirements, refer to the agency regulations outlined in 41 CFR Part 105-64.

Contesting record procedures:

GSA rules for contesting the contents and appealing initial decisions are issued in 41 CFR Part 105-64 of the Code of Federal Regulation.

Record source categories:

Individuals, other employees, supervisors, other agencies management officials, non-Federal sources like private firms, and data from the systems of records GSA/HRO-37, OPM/GOVT-1, and EEOC/GOVT-1.

Appendix GSA/PPFM Addresses of Locations

Central Office, Office of Plans, Programs, and Financial Management, Office of Finance, GS Building, Room 3127, 18th and F Streets NW., Washington, DC 20405.

Automated Data and Telecommunications Service, Financial Management Division, GS Building, Room 1204, 18th & F Sts. NW., Washington, DC 20405.

Federal Supply Service, Office of Executive Director, Crystal Mall, Building 4, 1941 Jefferson Davis Highway, Room 1111, Arlington, VA 20406.

National Archives and Records Service, Office of Executive Director, Archives Building, 7th & Pennsylvania Ave., NW., Room 108, Washington, DC 20408.

Public Buildings Service, Office of Executive Director, GS Building, Room 6340, 18th & F Sts. NW., Washington, DC 20405.

Regional Offices
National Capital Region (NCR), Finance Division, General Services Administration, 7th and D Sts. SW., Washington, DC 20407.

Region 1
Finance Division, General Services Administration, John W. McCormack, Post Office and Courthouse, Boston, MA 02109.

Region 2
Finance Division, General Services Administration, 26 Federal Plaza, New York, NY 10007.

Region 3
Finance Division, General Services Administration, 9th and Market Streets, Room 1350, Philadelphia, PA 19107.

Baltimore Area Office, Federal Building, Room 110B, Baltimore, MD 21201.

Region 4
Finance Division, General Services Administration, 75 Spring St SW., Atlanta, GA 30303.

Region 5
Finance Division, General Services Administration, 230 South Dearborn Street, Chicago, IL 60604.

Region 6
Finance Division, General Services Administration, 1500 E. Bannister Road, Kansas City, MO 64131.

St. Louis Area Office, 9700 Page Boulevard, Overland, MO 63132.

Region 7
Finance Division, General Services Administration, 819 Taylor Street, Fort Worth, TX 76102.

Region 8
Finance Division, General Services Administration, Denver Federal Center, Bldg. 41, Denver, CO 80225.

Region 9
Finance Division, General Services Administration, 525 Market Street, San Francisco, CA 94105.

Stockton Area Office, Building 414, Rough and Ready Island, Stockton, CA 95204.

Region 10
Finance Division, General Services Administration, GSA Center, Auburn WA 98002.

GSA/ADM-24 (23-00-0024)

System name: Investigation Case Files.

Security classification: Some of the material contained in the system has been classified in the interests of the national security pursuant to Executive Order 11652.

System location: The system is located in the Office of Inspector General, 18th and F Streets, NW, Washington, D.C. 20405. The data base for this system is on computers at the Parklawn Computer Center operated by the Food and Drug Administrtion in Rockville, Maryland.

Categories of individuals covered by the system: Individuals covered by the system are employees, applicants for employment, and former employees of GSA and commissions, committees, and small agencies serviced by GSA. Also included are historical researchers, employees of contractors performing custodial or guard services in buildings under GSA jurisdiction, individuals who were the source of an individual complaint or an allegation that a crime had taken place, witnesses having information or evidence on any side of an investigation, and identification of possible and actual suspects in the criminal, administrative, or civil actions.

Categories of records in the system: Investigative files contain information such as name, date and place of birth, experience, and investigatory material. These records are used as a basis for issuance of subpoenas; security clearances; suitability determinations; and civil, criminal, and administrative actions.

Authority for maintenance of the system: 5 U.S.C. App. Section 2 et seq.; Executive Order 10405, April 27, 1953; Executive Order 11478, August 8, 1969; Executive Order 11652. March 8, 1972; Executive Order 11246, September 24, 1965; and 40 U.S.C. 276a through a-7, 276c, 318 (a) through (d), and 327 through 331.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used by GSA officials and representatives of other Government agencies on a need-to-know basis in the performance of their official duties under the authorities set forth above and also for the following routine uses:

1. Law enforcement: Records maintained by the Office of Inspector General may be disseminated in any of the following manners:

a. A record of any case in which there is an indication of a violation of law, whether civil, criminal, or regulatory in nature, may be disseminated to the appropriate Federal, State, local, or foreign agency charged with the responsibility for investigating or prosecuting such violation or charged with enforcing or implementing such law;

b. A record may be disseminated to a Federal, State, local, or foreign agency or to an individual organization in the course of investigating a potential or actual violation of any law, whether civil, criminal, or regulatory in nature, or during the course of a trial or hearing or the preparation for a trial or hearing for such violation, if there is reason to believe that such agency, individual, or organization possesses information relating to the investigation, trial, or hearing and the dissemination is reasonably necessary to elicit such information or to obtain the cooperation of a witness or an informant;

c. A record relating to a case or matter may be disseminated in an appropriate Federal, State, local, or foreign court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice;

d. A record relating to a case or matter may be disseminated to an actual or potential party or his or her attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings;

e. A record relating to a case or matter that has been referred by an agency for investigation, prosecution, or enforcement or that involves a case or matter within the jurisdiction of any agency may be disseminated to such agency to notify the agency of the status of the case or matter or of any decision or determination that has been made or to make such other inquiries and reports as are necessary during the processing of the case or matters;

f. A record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement;

g. A record may be disseminated to a Federal, State, local, foreign, or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency;

h. A record may be disseminated to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information relates to the requesting agency's decision on the matter; or

i. A record may be disseminated to the public, news media, trade associations, or organized groups when the purpose of the dissemination is educational or informational, such as descriptions of crime trends or distinctive or unique modus operandi, provided that the record does not contain any information identifiable to a specific individual other than such modus operandi.

2. Grievance, complaint, appeal: A record from this system or records may be disclosed to an authorized appeal or grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Office of Personnel Management in accordance with the agency's responsibility for evaluation of Federal personnel management.

3. Congressional inquiries: A record from this system of records may be disclosed as a routine use to a Member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

4. Private relief legislation: The information contained in this system of records may be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage or the legislative coordination and clearance process as set forth in the circular.

5. GSA agents: A record from this system of records may be disclosed as a routine use (a) to an expert, a consultant, or a contractor, of GSA to the extent necessary to further the performance of a Federal duty and (b) to a physician to conduct a fitness-for-duty examination of a GSA officer or employee.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in files and file folders and magnetically encoded records on electronic media; e.g., disk drives and tapes.

Retrievability: Paper records are retrieved manually by name from files that are indexed alphabetically and filed numerically by location and incident. Magnetically encoded records are retrieved from computer files organized by investigation case file number.

Safeguards: Paper records are stored in locked alarmed vault type rooms and/or three-way combination dial safes with access limited to authorized personnel. Computer based records are protected by system, file, and date element level passwords and by user right-of-access codes with all access restricted to authorized personnel. Information is released only to authorized officials on a need-to-know basis.

System manager(s) and address: The official responsible for the system is the Executive Director, Office of Inspector General, 18th and F Sts. NW., Washington, DC 20405. Mailing address: General Services Administration (JM), Washington, DC 20405.

Notification procedure: Inquiries by individuals as to whether the system contains a record pertaining to themselves should be addressed to the system manager or the Director of Information (XI), 18th and F Sts. NW., Washington, DC 20405.

Record access procedures: Requests from individuals for access to records should be addressed to the Executive Director, Office of Inspector General, and should include full name (maiden name where appropriate), address, and date and place of birth. Only general inquiries may be made by phone.

Contesting record procedures: GSA rules for access to records and for contesting the contents and appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: Individuals, employees, informants, law enforcement agencies, other government agencies, employers, references, co-workers, neighbors, educational institutions, and intelligence sources.

Systems exempted from certain provisions of the act: In accordance with 5 U.S.C. 552a(j), this system of records is exempt from all provisions of the Privacy Act of 1974 with the exception of subsections (b); (c)(1) and (2); (e)(4)(A) through (F); (e)(6), (7), (9), (10), and (11); and (i) of the act, to the extent that information in the system pertains to the enforcement of criminal laws, including police efforts to prevent, control, or reduce crime or to apprehend criminals; to the activities of prosecutors, courts, and correctional, probation, pardon, or parole authorities; and to (1) information compiled for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrests, the nature and disposition of criminal charges, sentencing, confinement, release, and parole and probation status; (2) information compiled for the purpose of a criminal investigation, including reports of informants and investigators, that is associated with an identifiable individual; or (3) reports of enforcement of the criminal laws, from arrest or indictment through release from supervision. This system is exempted to maintain the efficacy and integrity of the Office of Inspector General's law enforcement function.

In accordance with 5 U.S.C. 552a(k), this system of records is exempt from subsections (c)(3); (d); (e)(1); (e)(4) (G), (H), and (I); and (f) of the Privacy Act of 1974. The system is exempt:

a. To the extent that the system consists of investigatory material compiled for law enforcement purposes; however, if any individual is denied any right, privilege, or benefit to which the individual would otherwise be eligible as a result of the maintenance of such material, such material shall be provided to such individual, except to the extent that the disclosure of such material would reveal the identify of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of the act, under an implied promise that the identity of the source would be held in confidence; and

b. To the extent the system consists of investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of the act, under an implied promise that the identity of the source would be held in confidence.

This system has been exempted to maintain the efficacy and integrity of lawful investigations conducted pursuant to the Office of Inspector General's law enforcement responsibilities and responsibilities in the areas of Federal employment, Government contracts, and access to security classified information.

GSA/OEA-1 (23-00-0103)

System name: Defunct Agency Records.

System location: The system records are located in the GSA Regional Office Building, 7th & D Sts., SW, Washington, DC 20407, and the National Payroll Center, Kansas City, KS.

Categories of individuals covered by the system: Employees of defunct agencies, including but not limited to Presidential Commissions, committees, small agencies, and boards, the records of which were serviced by GSA under a reimbursable administration support agreement.

Categories of records in the system: Varied payroll and financial records including but not limited to time and attendance cards, payment vouchers, comprehensive listing of employees, health benefits records, requests for deductions, tax forms, W-2 forms, overtime requests, leave data, retirement records, and vendor register and payment tapes.

Authority for maintenance of the system: The Economy Act, 31 U.S.C. 686 and the Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 377.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records are used by GSA personnel in concluding the administrative operations of the defunct agency. Routine uses of records maintained in the system shall include providing a copy of an employee's Department of the Treasury Form W-2, Wage and Tax Statement, to the State, city, or other local jurisdiction which is authorized to tax the employee's compensation. The record will be provided in accordance with a withholding agreement between the State, city or other local jurisdiction and the Department of the Treasury pursuant to 5 U.S.C. 5516, 5517, and 5520, or in the absence thereof, in response to a written request from an appropriate official of the taxing jurisdiction to the Regional Administrator, General Services Administration (WA), Washington, DC 20407. The request must include a copy of the applicable statute or ordinance authority of the jurisdiction to tax the employee is based on place of residence, place of employment, or both.

Pursuant to a withholding agreement between a city and the Department of the Treasury (5 U.S.C. 5520), copies of executed city tax withholding certificates shall be furnished the city in response to a written request from an appropriate city official to the Regional Administrator, General Services Administration (WA), Washington, DC 20407.

Records are also released to the General Accounting Office for audits, to the Internal Revenue Service for investigations, and to the Office of Personnel Management (OPM) concerning pay, benefits, retirement deductions, and other information necessary for the OPM to carry out its Government-wide personnel management functions.

The routine use statements A, B, C, D, E, F, and G, described in the appendix following the GSA notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders and card files, microfilm records in reels and cabinets, magnetic tapes and cards in cabinets and storage libraries, and computer records within a computer and attached equipment.

Retrievability: Payroll records are retrieved by the social security number and all other records by name.

Safeguards: When not in use by an authorized person, the records are stored in lockable metal containers or in secured rooms.

Retention and disposal: Disposition of records will be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2)

System manager(s) and address: The system manager is the Director, Agency Liaison Division, Regional Office Building, 7th and D Sts., SW., Washington, DC. Mailing address: General Services Administration (WXL), Washington, DC 20407.

Notification procedure: Requests for assistance should be made to the Director of Information, General Services Administration (AVI), Washington, DC 20405.

Record access procedures: GSA procedures for record access are contained in 41 CFR Part 105-64. Address request in writing to the system manager. The legend "Privacy Act Request" shall appear on the letter and envelope.

Contesting record procedures: GSA procedures for contesting records are contained in 41 CFR Part 105-64.

Record source categories: Upon termination, the agency being serviced by GSA publishes a notice in the Federal Register transferring administration responsibilities for the records to GSA.

GSA/OGC 2 (23-00-0040)

System name: Attorney Placement, GSA/OGC. This notice covers six unique systems of records of related subject matter.

System location: Each system is located in one of the following six offices; the supervisor in each of these six offices is the official who sets policies and procedures for the records in his or her own office; the General Counsel, L, and the Office of the Regional Counsels, Regions 1, 2, 5, 6, and 7. See appendix following notice OGC 6 for addresses.

Categories of individuals covered by the system: Each of the six systems covers attorneys and law students applying for employment.

Categories of records in the system: Each of the six systems covers qualifications of applicants for legal positions; the General Counsel, L, and the Regional Counsels for Regions 1, 2, 5, 6, and 7 and other authorized OGC employees use the records in their respective offices to fill vacancies and new positions with qualified applicants.

Authority for maintenance of the system: Each of the six systems is authorized by 5 U.S.C. 3101 and the Federal Property and Administrative Service Act of 1949 as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine use statements A, B, C, D, E, and G, described in the appendix following the GSA notices, apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Manual by name.

Safeguards: File folders are kept in guarded buildings and released only to authorized persons.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 18202.2).

System manager(s) and address: The system managers for the six systems are respectively: General Counsel, L; and Regional Counsels, Region 1, 2, 5, 6, and 7 for records within their offices. See appendix following notice OGC 6 for addresses.

Notification procedure: GSA notification procedures are contained in 41 CFR Part 105-64.

Record access procedures: GSA procedures for record access are contained in 41 CFR Part 105-64.

Contesting record procedures: GSA rules for contesting records are contained in 41 CFR Part 105-64.

Record source categories: Information in each of the six systems comes from one of the following sources: Applicants, placement offices, and interviewers.

GSA/OGC 4 (23-00-0042)

System name: General Law Files, GSA/OGC. This notice covers 22 unique systems of records involving related subject matter.

System location: The General Law Files of OGC are divided into 22 unique systems of related subject matter. Each system is located in one of the following 22 offices; the supervisor in each of these 22 offices is the official who sets policies and procedures for the records in his own office: L, LL, LB, LC, LE, LF, LM, LP, LR, LT, LX, and office of the Regional Counsels, Regions 1-10 and the National Capital Region, for records in their respective offices. See appendix following notice OGC 6 for addreses.

For information on the location of specific law files contact L at the address listed in the appendix.

Categories of individuals covered by the system: Each of the 22 systems covers one or more of the following categories of individuals:

GSA employees, past and present; other agency employees, members of the public (including individuals, corporations, and firms); witnesses in regulatory proceedings; persons who have made Freedom of Information and Privacy Act requests and persons about whom such requests have been made; persons pursuing tort claims or involved in litigation with GSA; and grievances under collective bargaining agreement appellants.

Categories of records in the system: Each of the 22 systems covers one or more of the following categories of records: Among other data, name of individual; position description; grade; salary; SSN; work history; complaint; history of the case; applicable law; working papers of attorney; testimony of witnesses; background investigation materials; records subject to complaint, request, or litigation; correspondence; damage reports; contracts; accident reports; GSA Form 1593; SF 91; SF 91A; SF 92; pleadings; affidavits; credit ratings; medical diagnoses and prognoses; doctor's bills; estimates of repair costs; invoices; litigation reports; and financial data. Records are used to give general legal advice, as requested, throughout GSA, and to prepare attorneys for hearings and trials, to reference past actions, and to maintain internal statistics.

Authority for maintenance of the system: Each of the 22 systems is authorized by one or more of the following statutes or Executive Orders:

Federal Property and Administrative Services Act of 1949, 63 Stat. 377 as amended; Freedom of Information Act, 5 U.S.C. 552 as amended; the Privacy Act of 1974, 5 U.S.C. 552a; 5 U.S.C., Part II (Civil Service Commission); 5 U.S.C., Chap. 33 (examination, selection and placement), Equal Employment Opportunity Act of 1972, 86 Stat. 103, 5 U.S.C. 5108, 5314–5316 and 42 U.S.C. 20003, et seq.; 5 U.S.C. 7151–7154 (antidiscrimination in employment); 5 U.S.C. 7301 (regulation of conduct); 5 U.S.C. 7501, note (adverse actions); 5 U.S.C., Chapter 77 (appeals); title 11 U.S.C. (bankruptcy); Federal Tort Claims Act, 28 U.S.C. 1291, 1346(b)(c), 1402(b), 1504, 2110, 2401(b), 2402, 2411(b), 2412(c), 2671–2680; 1 Stat. 515, 576, 31 U.S.C. 191 (debts owed by or due to U.S.); Federal Claims Collection Act of 1972, 80 Stat. 308–309; 31 U.S.C. 951–953, 78 Stat. 767, 768, 79 Stat. 789, 82 Stat. 998, 84 Stat. 412, 86 Stat. 491, 31 U.S.C. 240–243 (settlement of claims); E.O. 6166 Reorganization of Executive Agencies; E.O. 10577, Amending the Civil Service Rules and Authorizing a new Appointment System for the Competitive Service; E.O. 11491, Labor-Management Relations in the Federal Service; E.O. 11787, Revoking Executive Order 10987, Relating to Agency Systems for Appeals from Adverse Actions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be released to the Department of Justice in review, settlement, defense, and prosecution of claims, complaints, and law suits involving contracts, torts, debts, bankruptcy, personnel adverse action, EEO, unit determination, unfair labor practices, and Freedom of Information and Privacy Act requests. The routine use statements A, B, C, D, E, and G, described in the appendix following the GSA notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Manual, by name.

Safeguards: Records are stored in secured buildings; available to authorized persons only.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: The system managers for the 22 systems are respectively:

General Counsel, L; Deputy General Counsel for Law, LL; Assistant General Counsels, LB, LC, LE, LF, LM, LP, LR, LT, LX and regional Counsels for Regions 1–10 and the National Capital Region. See appendix following notice OGC 6 for addresses.

Notification procedure: GSA notification procedures are contained in 41 CFR Part 105–64.

Record access procedures: GSA procedures for record access are contained in 41 CFR Part 105-64.

Contesting record procedures: GSA rules for record access are contained in 41 CFR Part 105-64.

Record source categories: Information in each of the 22 systems comes from one or more of the following sources: Federal employees and private parties involved in tort, contracts, personnel actions, unfair labor practices, and debts concerning the Federal Government; general law texts and sources; Dun and Bradstreet and other sources of financial information; law enforcement officers; witnesses; and others.

GSA/OGC 6 (23–00–0044)

System name: Potential Employees Referrals.

System location: LC. See appendix following notice GSA/OGC 6 for address.

Categories of individuals covered by the system: Applicants for employment at GSA.

Categories of records in the system: Resumes, applications, recommendations, and replies, previous work history, reference checks, and notes. Used inside the agency in connection with litigation and hearings.

Authority for maintenance of the system: Civil Service Rule 5, 5 CFR 5.1–5.4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine use statements A, B, C, D, E, and G, described in the appendix following the GSA notices, apply to this system of records. Also may be transferred to OPM, outside counsel, and respondents in connection with ongoing litigation and hearings.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Manually, by name.

Safeguards: Stored in locked room in guarded building, accessible to authorized persons only.

Retention and disposal: At the termination of all litigation and hearings relevant to the records, records will be integrated into individual Official Personnel Folders, to the extent possible. The remaining records will be disposed of in accordance with normal procedures.

System manager(s) and address: Assistant General Counsel, LC. See appendix following notice GSA/OGC 6 for address.

Notification procedure: GSA notification procedures are contained in 41 CFR Part 105–64.

Record access procedures: GSA procedures for record access are contained in 41 CFR Part 105–64.

Contesting record procedures: GSA rules for contesting records are contained in 41 CFR Part 105–64.

Record source categories: GSA Personnel Office, the individual, persons who provided reference, former employees, and GSA employees involved in personnel work.

Appendix GSA/OGC Address of Locations

Office of General Counsel, Central Office Divisions located at the General Services Building, 18th and F Sts. NW., Washington, DC 20405. Business hours are 8:00–4:30 EST.

L—General Counsel, (202) 566–1200.

LL—Deputy General Counsel for Law, (202) 566–0050.

LA—Administrative Officer, (202) 566–0681.

LB—Assistant General Counsel, Public Buildings Division, (202) 566–0500.

LC—Assistant General Counsel Claims and Litigation Division (202) 566–1594.

LE—Assistant General Counsel Preparedness and Policy Division (202) 566–0528.

LM—Assistant General Counsel Labor Law Division (202) 566–1146.

LR—Assistant General Counsel Administration and Records Division (202) 566–1460.

LT—Assistant General Counsel Regulatory Law Division (202) 566–0750.

LX—Assistant General Counsel Automated Data and Telecommunications Division (202) 566–1156.

Office of General Counsel, Central Office Division (Transportation Audit), located at 425 I Street NW, Washington, DC 20406. Business hours are 7:45–4;15 EST.

LF—Assistant General Counsel Transportation Audit Division (202) 275–6101

Office of General Counsel, Central Office Division (Procurement), located at Crystal Mall, Building 4, Room 819, Washington, DC 20406. Business hours are 7:45–4:15 EST.

LP—Assistant General Counsel, Procurement Division, (202) 557–8417.

Office of General Counsel, Regional Offices located at National Capital Region—GSA Regional Counsel, 7th and D Streets SW., Washington, DC 20407, (202) 472–1809, 8:15–4:45 EST.

Region 1—GSA Regional Counsel, J. W. McCormack Post Office and Courthouse, Boston, MA 02109, (617) 223–2621, 8:20–4:50 EST.

Region 2—GSA Regional Counsel, 26 Federal Plaza, New York, NY 10007.

Region 3—GSA Regional Counsel, 9th and Market Sts., Rm. 5214, Philadelphia, PA 19107, Area Code 215–597–1319, 8:00–4:30 EST.

Region 4—GSA Regional Counsel, 75 Spring St. SW., Atlanta, GA 30303, (404) 221-5105, 8:00–4:30 EST.

Region 5—GSA Regional Counsel, 230 S. Dearborn Street, Chicago, IL 60604, (312) 353-5392, 8:30–5:00 CST.

Region 6—GSA Regional Counsel, 1500 E. Bannister Road, Kansas City, MO 64131, (816) 926-7212, 8:00–4:30 CST.

Region 7—GSA Regional Counsel, 819 Taylor Street, Fort Worth, TX 76102, (817) 334-2325, 7:45–4:15 CST.

Region 8—GSA Regional Counsel, Building 41, Denver Federal Center, Denver, CO 80225, (303) 234-3813, 7:30–4:00 MST.

Region 9—GSA Regional Counsel, 525 Market Street, San Francisco, CA 94105, (415) 556-3963 7:45–4:15 PST.

Region 10—GSA Regional Counsel, GSA Center, Auburn, WA 98002, (206) 833-5225, 7:30–4:00 PST.

GSA/REGADM 3 (23-00-0070)

System name: Biographical Sketches.

System location: This system is located in the offices of the Regional Administrators at the addresses listed below:

GSA National Capitol Region, Office of the Regional Administrator (WA), 7th and D Streets SW., Washington, DC 20407.

GSA Region 4, Office of the Regional Administrator (4A), 75 Spring St. SW., Atlanta, GA 30303.

GSA Region 6, Office of the Regional Administrator (6A), 1500 East Bannister Road, Kansas City, MO 64131.

Region 7, Fort Worth Business Service Center (7X), 819 Taylor Street, Fort Worth, TX 76102.

GSA Region 8, Office of the Regional Administrator (8A), Building 41, Denver Federal Center, Denver, CO 80225.

GSA Region 9, Office of the Regional Administrator (9A), 525 Market Street, San Francisco, CA 94105.

GSA Region 10, Office of the Regional Administrator (10A), GSA Center, Auburn, WA 98002.

Categories of individuals covered by the system: Individuals include GSA and other Federal government officials.

Categories of records in the system: Records consist of biographical sketches of GSA and other Federal government officials. Records are used by the Regional Administrator and his or her staff for the purpose of preparing introductions for GSA and other Federal government officials for speeches and public relations.

Authority for maintenance of the system: Title 5, U.S.C. Section 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine use statements A, B, C, D, and E, described in the appendix following the GSA notices, apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Access limited to official use only on a need-to-know basis.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: The officials responsible for the system of records are the Regional Administrators at the addresses listed above.

Notification procedure: Information may be obtained from the Regional Administrators at the addresses listed above.

Record access procedures: Requests to access records may be directed to the Regional Administrators at the addresses listed above, in accordance with the GSA rules as promulgated in 41 CFR Part 105-64, published in the Federal Register.

Contesting record procedures: GSA rules for access to systems of records, contesting the contents of a system of records and appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: Public information, the individuals themselves, or news releases.

GSA/REGADM (23-00-0071)

System name: Official Correspondence Files.

System location: The system is located in the offices to the Regional Administrators listed below:

GSA Region 4, Office of Regional Administrator (4A), 75 Spring St. SW., Atlanta, GA 30303.

GSA Region 6, Office of the Regional Administrator (6A), 1500 East Bannister Road, Kansas City, MO 64131.

GSA Region 7, Office of the Regional Administrator (7A), 819 Taylor Street, Fort Worth, TX 76102.

GSA Region 8, Office of the Regional Administrator (8A), Building 41, Denver Federal Center, Denver, CO 80225.

GSA Region 9, Office of the Regional Administrator (9A), 525 Market Street, San Francisco, CA 94105.

GSA Region 10, Office of the Regional Administrator (10A), GSA Center, Auburn, WA 98002.

Categories of individuals covered by the system: Individuals include those corresponding with the Regional Administrators regarding savings bond campaigns, employees receiving letters of appreciation and commendation, members of Congress, mayors and their staffs, and other individuals.

Categories of records in the system: Records consist of incoming correspondence, background material, and outgoing correspondence to individuals described in the system. The system is used as a record of correspondence received by the offices of the Regional Administrators and as a reference in preparing and replying to immediate and future correspondence.

Authority for maintenance of the system: Title 5, U.S.C. Section 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine use statements A, B, C, E, and G, described in the appendix following the GSA notices, apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name of the individual or firm.

Safeguards: Access limited to Regional Administrator and staff for official use only on a need-to-know basis.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: The officials responsible for the system of records are the Regional Administrators at the addresses listed above.

Notification procedure: Information may be obtained from the Regional Administrators at the addresses listed above.

Record access procedures: Requests to access records may be directed to the Regional Administrators at the addresses listed above, in accordance with the GSA rules as promulgated in 41 CFR Part 105-64, published in the Federal Register.

Contesting record procedures: GSA rules for access to systems of records, contesting the contents of a system of records, and appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: The actual correspondence and agency records.

GSA/REGADM-6 (23-00-0102)

System name: Ridesharing System.

System location: The system is located in the following regional offices:

GSA National Capital Region: Public Buildings Service (WP), GSA Regional Office Building, 7th and D Sts. SW., Washington, D.C. 20407.

GSA Region 1: Transportation and Public Utilities Service, Motor Equipment Division (1TM), John W. McCormack Post Office and Courthouse, Boston, MA 02109.

GSA Region 2: Transportation and Public Utilities Service, Transportation and Travel Management Division (2TT), 26 Federal Plaza, New York, NY 10007.

GSA Region 3: Federal Supply Service, Office of Personal Property, Motor Equipment Division (3FM), Ninth and Market Streets, Philadelphia, PA 19107.

GSA Region 4: Transportation and Public Utilities Service, Motor Equipment Division (4TM), Richard B. Russell Federal Bulding, 75 Spring St. SW., Atlanta, GA 30303.

GSA Region 5: Transportation and Public Utilities Service, Motor Equipment Division (5TM), Federal Building, 230 S. Dearborn Street, Chicago, IL 60604.

GSA Region 6: Administrative Services Division (6BR), GSA Regional Office Building, 1500 East Bannister Road, Kansas City, MO 64131.

GSA Region 7: Transportation and Public Utilities Service, Motor Equipment Division (7TM), 819 Taylor Street, Fort Worth, TX 76102.

GSA Region 8: Administrative Services Division (8BR), GSA Regional Office Building, Building 41, Denver Federal Center, Denver, CO 80225.

GSA Region 9: Transportation and Public Utilities Service, Transportation and Travel Management Division (9TT), 525 Market Street, San Francisco, CA 94105.

GSA Region 10: Transportation and Public Utilities Service (10T), GSA Center, Auburn, Washington 98002.

Categories of individuals covered by the system: Employees who voluntarily participate in the program.

Categories of records in the system: As used in this system notice, the term "ridesharing" includes carpool and vanpool. The system contains ridesharing applications which may include the applicants name, home address, and business address and telephone number; individual lists which may include names and business information; and master lists which may incude all of the information solicited.

Authority for maintenance of the system: Federal Property and Administrative Services Act of 1949, as amended and Air Pollution Prevention and Control Act, 42 U.S.C., Chap. 15B.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. Ridesharing (except for vanpools). GSA receives ridesharing applications from GSA employees or from another Federal agency for non-GSA employees. GSA, with one exception, transfers the applications without processing to the local Council of Government (COG) activity. COG processes the applications through their computer. The exception, Region 6, completes both the initial processing and the computer processing in-house. Computerized individual lists and master lists are prepared showing compatible ridesharing applicants. The individual lists are sent from COG, through GSA, to employer agencies for distribution to the participating employees or mailed by COG directly to the applicant. Master lists are retained by GSA and/or COG.

b. Vanpool. The GSA regional offices provide the main coordinators for the vanpooling program. Vanpool applications are collected by a coordinator for each agency located on or near the GSA regional activity. Each coordinator sends the applications to GSA. GSA manually processes these applications and returns a list of compatible vanpoolers to the agency coordinator, who keeps a master listing for their agency and sends the listing on to the applicant. GSA maintains a master listing of all agencies' applicants.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Ridesharing applications are on paper forms. Individual and master ridesharing lists are in the form of computer printouts and/or typed pages.

Retrievability: Individual printouts and applications are filed by name or zip code. Master lists are organized alphabetically by name and by location of home address or by zip code.

Safeguards: Applications and master lists are filed in lockable files.

Retention and disposal: Except for vanpool applications, ridesharing applications are transferred upon receipt to COG, where applicable, and destroyed upon transcription to machine storage. Master lists are destroyed upon receipt of updated lists. Individual vanpool applications are retained until applicant has joined a vanpool or until applicant indicates no further interest in vanpooling. At this time, the application is destroyed. Master lists are constantly being purged.

System manager(s) and address: The following officials are responsible for the applicable regional system:

GSA National Capital Region: Assistant Regional Administrator, Public Buildings Service (WP), GSA Regional Office Building, 7th and D Sts. SW., Washington, DC 20407.

GSA Region 1: Energy Transportation Coordinator, Motor Equipment Division, Transportation and Public Utilities Service (1TM), John W. McCormack Post Office and Courthouse, Boston, MA 02109.

GSA Region 2: Director, Transportation and Travel Management Division, Transportation and Public Utilities Service (2TT), 26 Federal Plaza, New York, NY 10007.

GSA Region 3: Director, Motor Equipment Division, Office of Personal Property (3FM), Ninth and Market Streets, Philadelphia, PA 19107.

GSA Region 4: Chief, Management Services Branch, Motor Equipment Division, Transportation and Public Utilities Service (4TMM), Richard B. Russell Federal Building, 75 Spring Street, SW., Atlanta, GA 30303.

GSA Region 5: Chief, Management Services Branch, Motor Equipment Division, Transportation and Public Utilities Service (5TMM), Federal Building, 230 S. Dearborn Street, Chicago, IL 60604.

GSA Region 6: Chief, Office Services Branch, Administrative Services Division, Office of Administration (6BRO), GSA Regional Office Building, 1500 East Bannister Road, Kansas City, MO 64131.

GSA Region 7: Director, Motor Equipment Division, Transportation and Public Utilities Service (7TM), 819 Taylor Street, Fort Worth, TX 76102.

GSA Region 8: Chief, Office Services Branch, Administrative Services Division, Office of Administration (8BRO), GSA Regional Office Building, Building 41, Denver Federal Center, Denver, CO 80225.

GSA Region 9: Energy Transportation Coordinator, Transportation and Travel Management Division, Transportation and Public Utilities Service (9TT), 525 Market Street, San Francisco, CA 94105.

GSA Region 10: Assistant Regional Administrator, Transportation and Public Utilities Service (10T), GSA Center, Auburn, Washington 98002.

Notification procedure: Inquiries by individuals as to whether the system contains a record pertaining to themselves should be addressed to the system manager.

Record access procedures: Requests from individuals for access to records should be addressed to the system manager and should include full name and address.

Contesting record procedures: GSA rules for contesting the contents of the records and for appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: Federal employees who desire to avail themselves of the benefits of the ridesharing program.

GSA/PBS-3

System name:

Incident Reporting, Investigation, Contingency Planning/Analysis, and Security Case Files.

Security classification:

Unclassified to Top Secret.

System location:

This system of records is located in the Central Office Law Enforcement Division and the regional offices of the Office of Public Buildings and Real Property at the listed addresses following this notice.

Categories of individuals covered by the system:

Individuals covered by the system are:

a. Persons who were the source of (1) the initial complaint and (2) an allegation that a crime took place;

b. Witnesses having information or evidence about any side of an investigation;

c. Possible and actual suspects in the criminal situation that are subjects of investigations;

d. Subjects of investigations on noncriminal matters;

e. Employees of GSA contractors performing custodial or guard services in buildings and areas under GSA jurisdiction;

f. Current and former applicants for the position of Federal Protective Officer;

g. Sources of information and evidence. The identity for these individuals may be confidential as well as the subject matter they contribute. These files contain information vital to the outcome of administrative procedures and civil and criminal cases; and

h. Individuals associated with terrorists or terrorist groups and activities and names of regional and nationwide terrorist organizations.

Categories of records in the system:

Records include:

a. Preliminary and other reports of criminal investigations from the opening of a case until it is closed. These records are instituted and maintained at varying points in the process. The processes of criminal justice and civil or administrative remedies require their partial or total disclosure.

b. Security files. These records contain information such as name, date and place of birth, address, Social Security Number, education, occupation, experience, and investigatory material.

c. Contingency Planning/Analysis files. These records contain information such as name and other identifying information and investigatory material on an individual associated with terrorists or terrorist groups and activities. They also contain information about regional and nationwide terrorists organizations and their effects on security of GSA-owned or -controlled facilities.

d. Intelligence briefs; tactical, operational and strategic informational reports; regional and nationwide contingency analysis; contingency action plans; and patterns and trends of potential or actual terrorists or terrorist groups, or other activities that could disrupt the orderly operation of GSA-owned or -controlled facilities.

Authority for maintenance of the system:

40 U.S.C. 318 through 318d; GSA Organization Manual (OHR P 5540.1).

Purpose(s):

To assemble in one system information on (1) preliminary and other criminal investigation reports that are used to enforce criminal law and rules and regulations for punitive action; prevent, control, or reduce crime and apprehend criminals; and for correction, probation, pardon, and parole activities; (2) security files that are used as a basis for suitability decisions for GSA contract guards and cleaners; and (3) contingency action plans that provide patterns and trends of potential or actual terrorists or terrorist groups or other activities that could disrupt orderly operations of GSA-owned or-controlled facilities.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. To disclose information to a Federal, State, local, or foreign agency responsible for investigating, prosecuting, enforcing, or carrying out a statute, rule, regulation, or order, where the agencies become aware of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to a Member of Congress or a congressional staff member in response to an inquiry from that congressional office made at the request of that individual.

c. To disclose information to a Federal, State, or local agency keeping civil, criminal, enforcement, or other information to get information relevant in making a decision on hiring or retaining an employee; issuing a security clearance; letting a contract; or issuing a license, grant, or other benefit.

d. To disclose information to a requesting Federal agency in connection with hiring or retaining an employee; issuing a security clearance; reporting an employee investigation; clarifying a job; letting a contract; or issuing a license, grant, or other benefit by the requesting agency where the information is relevant and necessary for a decision.

e. To disclose information to an appeal, grievance, or formal complaints examiner; equal employment opportunity investigator; arbitrator; exclusive representative; or other official engaged in investigating, or settling a grievance, complaint, or appeal filed by an employee.

f. To disclose information to the Office of Personnel Management under the agency's responsibility for evaluating Federal personnel management.

g. To disclose information to various bureaus and divisions of the Department of Justice that have primary jurisdiction over subject matters and locations which the Law Enforcement Division shares.

h. To disclose information to subdivisions of the Department of Justice that have responsibility for prosecuting criminal cases and pursuing civil cases arising from authorized activities of the Law Enforcement Division.

i. To disclose information to law enforcement agencies which have lawfully participated in an investigation jointly conducted with the Law Enforcement Division.

j. To disclose information to the Department of Justice when the agency, and agency employee, or the United States is party to or has interest in litigation, and using the records is relevant and necessary and compatible with the purpose of collecting the information.

k. To disclose information to a court or adjudicative body when the agency, any agency employee, or the United States is party to or has interest in litigation, and using the records is relevant and necessary and compatible with the purpose of collecting the information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders; magnetic tape and index cards in file cabinets.

Retrievability:

Filed by name, file number, case number, incident and location, and type of incident.

Safeguards:

Paper records stored in lockable filing cabinets with built-in 3 position dial type combination safe locks and in secured rooms. Magnetic tapes which store unclassified records protected by password system.

Retention and disposal:

Disposal of records is described in the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address:

Director, Law Enforcement Division, Public Buildings Service, General Services Administration (PML), 18th and F Streets NW, Washington, DC 20405.

Notification procedure:

Inquiries from individuals should be addressed to the system manager.

Record access procedures:

Requests from individuals should be addressed to the system manager. For identification requirements refer to the agency regulations outlined in 41 CFR Part 105-64.

Contesting record procedures:

GSA rules for contesting the contents and appealing initial decisions are issued in 41 CFR Part 105-64.

Record source categories:

Investigations, informants, witnesses, official records, investigative leads, statements, depositions, business records. or any other information source available to the Law Enforcement Division.

Systems exempted from certain provisions of the act:

Under 5 U.S.C. 552a(j), the criminal investigation case files and contingency planning/analysis files in this system of records are exempt from all provisions of the Privacy Act of 1974 with the exception of subsections (b); (c) (1) and (2); (e)(4) (A) through (F); (e) (6), (7), (9), (10), (11); and (i) of the act. Under 5 U.S.C. 552a(k), the general investigation and security files in this system of records are exempt from subsections (c)(3); (d); (e)(i); (e)(4) (G), (H), and (I); and (f) of the Privacy Act of 1974.

Appendix GSA/PBS Addresses of Location

Regional Offices

Region 1, 840 John W. McCormack Post Office and Courthouse, Boston, MA 02109.

Region 2, 26 Federal Plaza, Room 2836, New York, NY 10007.

Region 3, Regional Office Building, 9th and Market Streets, Philadelphia, PA 19107.

Region 4, 75 Spring Street SW., Atlanta, GA 30303.

Region 5, John C. Kluczynski Federal Building, 230 South Dearborn Street, Chicago, IL 60604.

Region 6, Federal Building, 1500 East Bannister Road, Kansas City, Missouri 64131.

Region 7, 819 Taylor Street, Fort Worth, TX 76102.

Region 8, Building 41, Denver Federal Center, Denver, CO 80225.

Region 9, 525 Market Street, San Francisco, CA 94105.

Region 10, GSA Center, Auburn, Washington 98002.

National Capital Region, 7th and D Streets, SW., Washington, D.C. 20407.

Region 1

Area Office and Address
J. W. McCormack, Post Office and Courthouse, Rm. 501, Boston, MA 02109.

Field Offices and Addresses
John Fitzgerald Kennedy, Federal Building Field Office, Rm. E131, Government Center, Boston, MA 02203.

John W. McCormack, Post Office & Courthouse Field Office, Rm. 903, Post Office Square, Boston, MA 02109.

John F. Kennedy Library, South Shore Field Office—5th Floor, Columbia Point, Dorchester, MA 02125.

Area Office and Address
Manchester, 728 Norris Cotton Federal Building, 275 Chestnut Street, Manchester, NH 03103.

Field Office and Addresses
Andover, P.O. Box 521, Andover, MA 01810.

Augusta, Rm. 101E, Federal Building & Post Office, 40 Western Avenue, Augusta, ME 04330.

Burlington, Rm. 607, Federal Building, Burlington, VT 05401.

Manchester, Rm. 722, Norris Cotton Federal Building, 725 Chestnut Street, Manchester, NH 03103.

Area Offices and Addresses
Providence, Rm. 240, Federal Building, Post Office, Exchange Terrace, Providence, RI 02903.

Field Offices and Addresses
Hartford, Rm. 403, Federal Building, 450 Main Street, Hartford, Ct 06103.

New Haven, 150 Court Street, Rm. 107, New Haven, CT 06510.

Providence, Rm. 239, Federal Building, Post Office, Exchange Terrace, Providence, RI 02903.

Worchester, Rm. 400, Federal Building, Courthouse, 595 Main Street, Worchester, MA 01608.

Region 2

Area Office and Address,
Albany, Rm. 929, Federal Building, Clinton Ave. & N. Pearl St., Albany, NY 12207.

Field Offices & Addresses
Albany, Rm. 213, Post Office & Courthouse, Albany, NY 12201.

Plattsburg, Federal Building, Plattsburg, NY 12901.

Scotia, Bldg. 12, GSA Scotia Depot, Scotia, NY 12302.

Area Office and Address
Brooklyn, Building 245, Mezzine, Raritan Depot, Edison, NJ 08817.

Field Offices and Addresses
Airport, Rm. 101, Federal Building, JFK International Airport, Jamaica, NY 11430.

Belle Mead, GSA Belle Mead Depot, Belle Mead, NY 08502.

Brookhaven, Bldg. 1, IRS Center, 1040 Waverly Avenue, Holtsville, NY 11742.

Brooklyn, Rm. 327D, Federal Building and Courthouse, 225 Cadman Plaza East, Brooklyn, NY 11201

Field Offices and Addresses
Newark, Rm. 135, Federal Building, 970 Broad Street, Newark, NJ 07102.

Trenton, Rm. 207, Post Office and Courthouse, Trenton, NJ 08608.

Area Office and Address
Buffalo, Rm. 618, Federal Building, 111 W. Huron Street, Buffalo, NY 14202.

Field Offices and Addresses
Buffalo, Rm. 30, Federal Building, 111 W. Huron Street, Buffalo, NY 13901.

Binghamton, Rm. 200, Administration Building, GSA Depot, Hoyt Avenue, Binghamton, NY 13901.

Rochester, Rm. 309, Federal Building and Courthouse, 100 State Street, Rochester, NY 14614.

Area Office and Address
Manhatten, Rm. 2421, 26 Federal Plaza, New York City, NY 10007.

Field Offices and Addresses
Battery, Rm 881, 6 World Trade Center, New York City, NY 10048.

Federal Plaza, Rm. 309, Federal Building, 26 Federal Plaza, New York City, NY 10007

Greater Manhattan, 5th Floor, 252–7th Avenue, New York City, NY 10001

Courthouse
U.S. Courthouse, 40 Foley Square, Rm. 104, New York City, NY 10007.

Area Office and Address
Puerto Rico, GSA, PO Box 3672, San Juan, PR 00904.

Field Office and Address
San Juan, GSA, PO Box 3672, San Juan, PR 00904.

NCR

Area Offices and Address
South, Rm. 1G–024, Forrestal Building, 1000 Independence Ave., SW., Washington, DC 20407

Field Offices and Addresses
Anacostia, Building 205 NYA, 2nd and M Streets, SE., Washington, DC 20407.

Central Support, 10 P Street, SW., Washington, DC 20407.

Forrestal, Rm. 1G–024, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20407.

Agriculture, Rm. 1509 South Agriculture Bldg., 14th and Independence Avenue, SW., Washington, DC 20407.

HEW, Rm. 1264, HEW North Building, 330 Independence Avenue, SW., Washington, DC 20407.

Southwest, Rm. L–100, 1900 Half St. SW., Washington, DC 20407.

Mall, Rm. 1102, GSA Regional Office Building, 7th and D Streets, SW., Washington, DC 20407.

Suitland, Rm. 1037, Federal Building 3, Suitland, MD 20033.

Area Office and Address
White House, Rm. 44, EOB, 17th and Pennsylvania Ave., NW., Washington, DC 21056.

West, Rm. 355, 2000 K St., NW., Washington, DC 20037.

Field Offices and Addresses
ERDA, Rm. G–075, ERDA Building, Germantown, MD 20407.

Commerce, Rm. 1036, Commerce Building, 14th and Constitution Ave., NW., Washington, DC 20231.

Lafayette, Suite 700, 1612 K Street, NW., Washington, DC 20407.

Interior, Rm. 1332, Federal Building 9 1900 E Street, NW., Washington, DC 20415.

Rock Creek, Rm. 101, Gelman Building, 2120 L Street, NW., Washington, DC 20407.

State, Rm. 1481, State Building, 320 21st Street NW., Washington, DC 20520.

Veterans, Rm. 120, Veterans Building, 810 Vermont Ave. NW., Washington, DC 20005.

Area Office and Address
Arlington, Rm. 1A-1063, Pentagon Building, Arlington, VA 20301.

Field Offices and Addresses
Alexandria, Rm 428, Hoffman 1, 2461 Eisenhower Avenue, Alexandria, VA.

Columbia Pike, Rm. 1032, Federal Building 2, Columbia Pike, Arlington, VA 22202.

Jefferson Davis, Rm. 946, Crystal Plaza 6, 2221 Jefferson Davis Highway, Arlington, VA 22202.

McLean, Rm. 1E-12, CIA Building, McLean, VA 20505.

Pentagon, Rm. 1A-325, Pentagon Building, Arlington, VA 20301.

Rosslyn, Rm. 126, Architect Building, 1400 Wilson Boulevard, Arlington, VA 22209.

Area Office and Address
Heating Operation and Transmission Area, Rm. 600 ROB, 7th and D Streets SW., Washington, DC 20407.

Field Offices and Addresses
District, 409 Old Jefferson Davis Highway, Arlington, VA 20301.

MD-VA, SE Pentagon, Clark Street, Arlington, VA 20301.

Technical, Rm. 600, ROB, 7th and D Streets, SW., Washington, DC 20407.

Area Office and Address
North, Rm. 1346, New Post Office Bldg., 12th and Pennsylvania Ave. NW., Washington, DC 20407.

Field Offices and Addresses
GAO, Rm 1057, GAO Building, 441 G Street NW., Washington, DC 20407.

Hyattsville, Rm. 1010, 6525 Belcrest Road, Hyattsville, MD 20782.

Justice, Rm. 1B858, J. E. Hoover Bldg. NW., 935 Pennsylvania Ave., Washington, DC 20407.

Labor, Rm. S-1207, 3rd and Constitution Ave. NW., Washington, DC 20407.

Patrick Henry, Rm. 3326, 601 D Street NW., Washington, DC 20407.

Revenue, Rm. 1314, IRS Bldg. NW., Washington, DC 20407.

Region 3

Area Office and Address
Philadelphia, Rm. 9428, Federal Building, 600 Arch Street, Philadelphia, PA 19106.

Field Offices and Addresses
E. Philadelphia, Rm. 1211, Federal Building, 600 Arch Street, Philadelphia, PA 19106.

W. Philadelphia, 5000 Wissahickon Ave., Philadelphia, PA 19102.

Harrisburg, Rm. 863, Courthouse and Federal Building, 228 Walnut Street, Harrisburg, PA 17108.

Pittsburgh, Room 2136, Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222.

Wilkes-Barre, Rm. 504, Wyoming Valley, Vets Building, 19 N. Main Street, Wilkes-Barre, PA 18701.

Richmond, Federal Building, 400 North 8th Street, Richmond, VA 23240.

James River, Federal Building 2, 11th and Main Sts., Richmond, VA 23205.

Kanawha, Room 309, U.S. Post Office, 501 9th Street, Huntington, WV 25709.

Norfolk, Rm. 120, Bank of Virginia Building, 870 N. Military Highway, Norfolk, VA 23502.

Parkersburg, Rm. 3321, Federal Building, Juliana and 5th Streets, Parkersburg, WV 26101.

Charlottesville, Rm. 102, Federal Building, 220 7th Street NE., Charlottesville, VA 22901.

Roanoke, Rm. 106, Federal Building, 210 Franklin Rd. SW., Elkins, WV 26241.

Area Office and Address
Baltimore, Rm. 1111, Garmat 3, Federal Building and Courthouse, 101 W. Lombard St., Baltimore, MD 21201.

Field Offices and Addresses
Chesapeake, Rm. 315, Federal Building 31 Hopkins Plaza, Baltimore, MD 21202.

Fort Meade, Rm. 9809, NSA Building, Fort Meade, MD 20755.

West Maryland, Rm. 1-J23, 6401 Security Blvd., Baltimore, MD 21235.

Woodlawn, 1 Rutherford Plaza, 7133 Rutherford Road, Baltimore, MD 21207.

Metro-West Field, 300 N. Greene Street, Baltimore, MD 21202.

Region 4

Field Office and Address
Atlanta, Federal Building, 272 Ivy Street NE., Atlanta, GA 30308.

Field Offices and Addresses
Birmingham, Rm. 428, Federal Building, 1800 5th Avenue N., Birmingham, AL 35203.

Huntsville, Rm. 1E, 1600 Ballistic Missile Center, P.O. Box 1367, West Station, Huntsville, AL 35807.

Jackson, Rm. 20, Post Office and Courthouse, 245 E. Capital Street, P.O. Box 1250, Jackson, MS 39205.

Mobile, Rm. 407, Federal Building and Courthouse, Mobile, AL 36602.

Montgomery, Rm. 400, Post Office and Courthouse, Corner Church and Lee Street, Montgomery, AL 36104.

Tupelo, Rm. 320, Federal Building and Post Office, 500 W. Main, P.O. Box 711, Tupelo, MS 38801.

Field Offices and Addresses
Ashville, Rm. 87, Federal Building, Battery Park Avenue, Ashville, NC 28801.

Charleston, Rm. 621, Federal Building, 334 Meeting Street, Charleston, SC 29403.

Columbia, Strom Thurmond Federal Building, 1835 Assembly Street, Rm. 813, Columbia, SC 29201.

Raleigh, Rm. 520, Federal Building Post Office and Courthouse, 310 New Bern Avenue, Raleigh, NC 27601.

Field Offices and Addresses
Jacksonville, Rm. 448, Federal Building, 400 W. Bay Street, P.O. Box 35005, Jacksonville, FL 32202.

Miami, Rm. 1517, Federal Building, 51 SW 1st Avenue, Miami, FL 33130.

Savannah, Rm. 232, Post Office and Courthouse, Bull and State Streets, Savannah, GA 31402.

Tampa, Rm. 733, Federal Building, 500 Zack Street, Tampa, FL 33602.

Thomasville, Rm. 208, Federal Building, P.O. Box 1355, Broad and Monroe Streets, Thomasville, GA 31792.

Field Offices and Addresses
Covington, Rm. 138, IRS Center, 4th and Russell Streets, Covington, KY 41011.

Louisville, Rm. 273, Federal Building, 600 Federal Place, Louisville, KY 40202.

Memphis, Rm. 382, Clifford Davis, Federal Building, 167 N. Main Street, Memphis, TN 38103.

Nashville, Rm. 117, Federal Building and Courthouse, 801 Broadway, Nashville, TN 37203.

Oak Ridge, Rm. 1206, Federal Building, Administration Road, P.O. Box 3474, Oak Ridge, TN 37830.

Region 5

Field Offices and Addresses
LOOP, Rm. 286, Everett McKinley, Dirksen Building, 219 S. Dearborn, Chicago, IL 60604.

Midwest, Rm. 2440, Everett McKinley Dirksen Building, 219 S. Dearborn, Chicago, IL 60604.

Central, Rm. 292, Federal Building, 536 S. Clark Street, Chicago, IL 60605.

Indianapolis, Rm. 349, Federal Building and Courthouse, 46 E. Ohio Street, Indianapolis, IN 46204.

Jeffersonville, Rm. 160, Federal Center, 1201 S. 10th Street, Jeffersonville, IN 47130.

Akron, Federal Building and Courthouse, 2 S. Main St., Akron, OH 44308.

Cincinnati, Rm. 440, Post Office and Courthouse, 5th Main and Walnut Streets, Cincinnati, OH 45202.

Cleveland, Rm. 227, Anthony J. Celebrezze Federal Building, 1240 E. 9th St., Cleveland, OH 44199.

Columbus, Rm. 445, Federal Building and Courthouse, 85 Marconi Boulevard, Columbus, OH 43215.

Detroit, Rm. 1196, Patrick C. McNamara, Federal Building, 477 Michigan, Detroit, MI 48226.

Grand Rapids, Rm. 180, Gerald R. Ford Federal Building and Courthouse, 110 Michigan Street NW., Grand Rapids, MI 49502.

Battle Creek, Rm. 214, Federal Center, 74 N. Washington, Battle Creek, MI 49017.

Twin Cities, Rm. 226, Federal Building, Ft. Snelling, Twin Cities, St. Paul, MN 55111.

Milwaukee, Rm. 102, Federal Building and Courthouse, 517 E. Wisconsin Avenue, Milwaukee, WI 53202.

Springfield, Rm. 1138, Federal Building and Courthouse, 600 E. Monroe Street, Springfield, IL 62701.

Region 6

Area Office and Address
Missouri/Kansas (except metropolitan Kansas City and St. Louis), Federal Building, U.S. Courthouse, 444 SE Quincy, Rm. 297, Topeka, KS 66683.

Field Office and Addresses
Columbia, Rm. 117, Federal Building, 608 E. Cherry Street, Columbia, MO 65201.

Rolla, 1400 Independence Road, Mail Stop 113, Rolla, MO 64801.

Topeka, Federal Building, U.S. Courthouse, 444 S.E. Quincy, Rm. 297, Topeka, Kansas 66683.

Wichita, U.S. Post Office and Courthouse, 401 N. Market St., Rm. 106, Wichita, KS 64106.

Area Office and Address
Room 635, U.S. Court and Customhouse, 1114 Market Street, St. Louis, MO 63102.

Field Offices and Addresses
Mart, Room 113, Federal Building, 405 S. 12th Street, St. Louis, MO 63102.

Downtown, Room 162B, Federal Building, 1520 Market Street, St. Louis, MO 63102.

MPRC, Room 2015, 9700 Page Boulevard, St. Louis, MO 63132.

Federal Center, Room 110, Building 107, Federal Center, 4300 Goodfellow Boulevard, St. Louis, MO 63120.

Area Office and Address
Rm. 1006, Federal Building and Courthouse, 215 N. 17th Street, Omaha, NE 68102.

Area Office and Address
Kansas City, Missouri, Federal Building, 1500 E. Bannister Road, Kansas City, MO 64131.

Field Offices and Address
Kansas City North, Room 109, Federal Building, 601 E. 12th Street, Kansas City, MO 64106.

Kansas City South, Room B-1, Federal Building, 1500 E. Bannister Road, Kansas City, MO 64131.

Region 7

Area Office and Address
Austin, Rm. 109, Courthouse, 200 W. 8th Street, Austin, TX 78701.

Field Offices and Addresses
Austin, Rm. G100, Federal Building and Post Office, 300 E. 8th Street, Austin, TX 78701.

Field Offices & Addresses
Cedar Rapids, Rm. 126, Federal Building and Courthouse, 101 First Street SE., Cedar Rapids, IA 52401.

Fort Dodge, Rm. B-2, Federal Building, Post Office and Courthouse, 205 S. 8th Street, Fort Dodge, IA 50501.

Des Moines, Rm. 118, Federal Building, 210 Walnut Street, Des Moines, IA 50309.

Omaha, Rm. 1118, Federal Building, Post Office and Courthouse, 215 N. 17th Street, Omaha, NE 68102.

North Platte, Rm. 104, Federal Building, Post Office and Courthouse, 300 E. 3rd Street, North Platte, NE 69101.

Lincoln, Rm. 181, Federal Building and Courthouse, 100 Centennial Mall North, Lincoln, NE 69101.

El Paso, Rm. 105, Courthouse, 500 E. San Antonio Street, El Paso, TX 79901.

Laredo, Rm. 103, Post Office and Courthouse, Matamores and Juarez Streets, Laredo, TX 78040.

San Antonio, Rm. A101, Federal Building, 727 East Durango, San Antonio, TX 78206.

Area Office & Address
Little Rock, Rm. 1329, Federal Building, 700 W. Capitol Street, Little Rock, AR 72201.

Field Offices and Addresses
Little Rock, Rm. 1120, Federal Building, 700 W. Capitol Street, Little, Rock, AR 72201.

Russellville, West Main and South Fargo Streets, PO box 723, Russellville, AR 72801.

Area Office and Address
New Orleans, Hale Boggs Federal Building, U.S. Courthouse, 500 Camp Street, New Orleans, LA 70130.

Field Offices and Addresses
Lafayette, Rm. 401, Federal Building, Post Office and Courthouse, Jefferson & Main Streets, Lafayette, LA 70501.

New Orleans, Rm. 1044, Hale Boggs Federal Building, U.S. Courthouse, 500 Camp Street, New Orleans, LA 70130.

Ruston, Rm. 108, Federal Building, Mississippi & Vienna Streets, Ruston, LA 72170.

Area Office and Address
Dallas, Rm. 101, Federal Building and Courthouse, 1114 Commerce Street, Dallas, TX 75242.

Field Offices and Addresses
Albuquerque, Rm. 1018, Federal Building, 517 Gold Avenue, SW, Albuquerque, NM 87103.

Dallas, Rm. 1B51, Earle Cabell Federal Building and U.S. Courthouse, 1100 Commerce Street, Dallas, TX 75242.

Fort Worth, Rm. 14A18, Fritz G. Lanham, Federal Building, 819 Taylor, Fort Worth, TX 76102.

Lubbock, Rm. 118, Federal Building and Courthouse, 1205 Texas Street, Lubbock, TX 79401.

Sante Fe, Rm. 1221, Federal Building, S. Federal and Grant, Sante Fe, NM 87501.

Area Office and Address
Houston, Rm. 3102, 515 Rusk Avenue, Houston, TX 77002.

Field Offices and Addresses
Beaumont, Rm. 256, Post Office and Courthouse, Broadway and Willow Streets, Beaumont, TX 77701.

Houston, Rm. 5009, Federal Building and Courthouse, 515 Rusk Avenue, Houston, TX 77002.

Area Office and Address
Oklahoma City, Rm. 5001, Federal Building, U.S. Courthouse, 200 NW 4th Street, Oklahoma, OK 73101.

Field Offices and Addresses
Muskogee, Rm. 012, Federal Building, U.S. Courthouse, 5th & W Okmulgee Streets, Muskogee, OK 74401.

Oklahoma City, Rm. B031, Post Office, Courthouse, and Federal Building, 201 NW 3rd Street, Oklahoma, OK 73101.

Tulsa, Rm. 106, Federal Building, 224 S. Boulder, Tulsa, OK 74103.

Region 8

Field Offices and Addresses
Denver Federal Center, Entrance E, Building 41, Denver, CO 80225.

Denver, Rm. 120, Federal Building and Courthouse, 1961 Stout Street, Denver, CO 80294.

Colorado Springs, Chidlaw Building, Peterson AFB, CO 80914.

Billings, Federal Building & Courthouse, PO Box 1477, Billings, MT 59103.

Helena, Federal Building, U.S. Courthouse, Drawer 10094, 301 South Park, Helena, MT 59601.

Missoula, Federal Building, Post Office & Courthouse, Rm. 1003, PO Box 8205, Missoula, MT 59807.

Bismarck, Federal Building, Post Office & Courthouse, Rm 228, 220 East Rosser, PO Box 2237, Bismarck, ND 58501.

Fargo, Federal Building and Post Office, Rm. 204, 657 2nd Avenue, N, Fargo, ND 58102.

Aberdeen, Federal Building, 115 4th Avenue, SE, Aberdeen SD 57401.

Pierre, Rm. 203, Federal Building, Post Office and Courthouse, 225 S. Pierre Street, Pierre, SD 57501.

Salt Lake City, Rm 2201, Federal Building, 125 S. State Street, Salt Lake City, UT 84138.

Ogden, c/o IRS Service Center, P.O. Box 9941, Ogden, VT 84409.

Casper, Rm. 1010, Federal Building and Post Office, 100 East B Street, Casper, WY 82601.

Cheyenne, Joseph O'Mahoney Federal Center, 2120 Capitol Avenue, Rm. 2016, Cheyenne, WY 82001.

Region 9

Field Offices and Addresses
Sansome Street, U.S. Customs House, Attic No. 2, 555 Battery Street, San Francisco, CA 94111.

Golden Gate, Rm. 13019 Federal Building, 450 Golden Gate, San Francisco, CA 94102.

East Bay, Rm. 416, Federal Building, 1515 Clay Street, Oakland, CA 94612.

Sacramento, Rm. 8538, Federal Building and Courthouse, 650 Capitol Mall, Sacramento, CA 95814.

San Jose, 175 W. Taylor, Building No.3, San Jose, CA 95110.

Fresno, Rm. 4205, Federal Building and Courthouse, 1130 'O' Street, Fresno, CA 93721.

Santa Ana, Federal Building, 34 Civic Center Plaza, Delle, CA 92701.

North Spring Street, Rm. G-11, Courthouse, 312 N. Spring Street, Los Angeles, CA 90012.

West Los Angeles, Rm. 1021, Federal Building, 11000 Wilshire Boulevard, Los Angeles, CA 90024.

North Los Angeles, Federal Building, 300 N. Los Angeles Street, Los Angeles, CA 90012.

San Diego, Federal Building and Courthouse, 880 Fron Street, Rm. 1-5-3, San Diego, CA 92188.

Phoenix, Rm. 3041, Federal Building, 230 N. First Avenue, Phoenix AZ 85025.

Tucson, 301 W. Congress, Tucson, AZ 85701.

Honolulu, Prince Kuhio Kalanianaoce Federal Building, Rm. 6119, 300 Ala Moana Blvd., Honolulu, HI 96850.

Reno, Rm. 1030 Booth Street, Reno, NV 89509.

Las Vegas, Rm. 1-620, Federal Building and Courthouse, 300 Las Vegas Blvd. South, Las Vegas, NV 89101.

Region 10

Field Offices and Addresses
Seattle, Rm. 556, Federal Building, 915 2nd Avenue, Seattle, WA 98174.

Bellingham, Rm. 315, Federal Building, 104 West Magnolia, Bellingham, WA 98225.

Spokane, Rm. 120, Courthouse, W 920 Riverside Avenue, Spokane, WA 99201.

Richland, Rm. G62, Federal Building, Post Office and Courthouse, P.O. Box 400, Richland, WA 99352.

Auburn, Bldg. 815, GSA Center, Auburn, WA 98002.

Portland, Rm. 385, Federal Building,1220 SW Third Ave., Portland, OR 97204.

Eugene, Federal Building and Courthouse, Rm. 220, 211 East Seventh Ave., Eugene, OR 97401.

Boise, Rm. 164, Federal Building and Courthouse, Box 021, Boise, ID 83724.

Field Offices and Addresses
Anchorage, Federal Building and Courthouse, Rm. C-522, 701 C. Street, Box 5, Anchorage, AK 99513.

GSA/ADTS 1 (23-00-0076)

System name: Classified Control Files, GSA/ADTS.

System location: Central Office and regional offices of ADTS at the addresses listed in the appendix following the GSA/ADTS notices.

Categories of individuals covered by the system: Employees of GSA, other Government agencies, and commercial corporations.

Categories of records in the system: Records are maintained in this nonautomated system for the purpose of ensuring control over access to classified information and facilities. Contains records such as: Security clearance level, identification credentials, registers, access authorizations, official courier/messenger designations, security officer appointments, files custodian lists, security briefings, and acknowledgements.

Authority for maintenance of the system: Executive Order 10450, April 27, 1953.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Maintaining and exchanging current information regarding authority of personnel to gain access to classified material or facilities. Documenting responsibilities of designated personnel to administer the overall security program. Used to verify clearance for access to classified material or facilities, to allow performance of maintenance and repair of classified communications equipment, to verify authority to release, transport and receive classified material, both inter- and intra-agency. The routine use statements A, B, C, D, E, and G, described in the appendix following the GSA notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files kept in safes or storage cabinets.

Retrievability: Filed alphabetically at each location by name of individual.

Safeguards: Buildings employ security guards. Storage containers are either locked or located in a limited access area.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Chief, Secure and Emergency Communications Branch, Office of Systems Engineering and Operations, GSA, ADTS, 18th & F Streets NW., Washington, D.C.; mailing address: General Services Administration (CTDS), Washington, D.C. 20405, and the Assistant Regional Administrators, ADTS, at the addresses listed in the appendix following the GSA/ADTS notices.

Notification procedure: Inquiries should be directed to the system managers listed above.

Record access procedures: Same as above.

Contesting record procedures: GSA rules for access to records, for contesting the contents, and for appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: The individuals themselves, requests for clearance and/or access, and other security forms.

GSA/ADTS 2 (23-00-0077)

System name: Congressional Files, GSA/ADTS.

System location: ADTS Central Office and in the regional offices of ADTS at the addresses listed in the appendix following the GSA/ADTS notices.

Categories of individuals covered by the system: Members of Congress and their staffs, State governors and their staffs.

Categories of records in the system: Records are maintained in this nonautomated system for the purpose of ensuring that proper action is being taken on Congressional and State requests for ADP and telecommunications service. Contains records used for ordering, billing, and budget purposes. Contains telephone service requests, ADP service requests, billing for FTS and extended service, general inquiries, records of meetings, service complaints, and remedial actions.

Authority for maintenance of the system: Title 31, U.S.C. Section 680a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine use statements A, B, C, D, E, and G, described in the appendix following the GSA notices, apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files, storage cabinets, and file folders.

Retrievability: Filed alphabetically at each location by name of individual.

Safeguards: Buildings employ security guards. Access is restricted to authorized personnel. Records are released only to authorized officials.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Congressional Liaison (CLSS), GSA, ADTS, 7th and D Streets SW., Washington, DC 20407 and the Assistant Regional Administrators, ADTS, at the addresses listed in the appendix following the GSA/ADTS notices.

Notification procedure: Inquiries should be directed to the system managers listed above.

Record access procedures: Same individuals as above.

Contesting record procedures: GSA rules for access to records, for contesting the contents, and for appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: The individuals themselves (correspondence, telephone calls, etc.), the staffs of the individuals concerned, and other ADTS employees involved.

GSA/ADTS 4 (23-00-0079)

System name: Emergency Notification Files GSA/ADTS.

System location: Central Office and regional offices of ADTS at the addresses listed in the appendix following the GSA/ADTS notices.

Categories of individuals covered by the system: GSA/ADTS Central Office and regional employees.

Categories of records in the system: Records are maintained in this nonautomated system for the purpose of notifying and identifying employees or their designees under emergency conditions. Contains records such as: Employees, name, address, position title, office phone number, and home phone number.

Authority for maintenance of the system: Title 5 U.S.C. Section 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Maintaining a current listing of Federal officials to be contacted during national disasters, contingency and emergency situations, and providing this information as necessary, in disasters or public or personal emergencies, to concerned agencies, telephone companies, telecommunications common carriers, civil defense and other activities and individuals involved in the emergency or relief effort. Contacting officials in support of Federal Emergency Plan D and NCS Plan for Communications Support in major disasters and emergencies. Notifying personnel in cases of operational or personal emergencies. The routine statements A, B, C, D, E, and G, described in the appendix following the GSA notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files kept in safes or lockable storage cabinets.

Retrievability: Filed alphabetically at each location by name of individual.

Safeguards: Buildings employ security guards. Storage containers are either locked or located in a limited access area.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Chief, Secure and Emergency Communications Branch, Office of Systems Engineering and Operations, GS Building, 18th & F Streets NW., Washington, DC; mailing address: General Services Administration (CTDS), Washington, DC 20405 and Assistant Regional Administrators, ADTS, at the addresses listed in the appendix following the GSA/ADTS notices.

Notification procedure: Inquiries should be directed to the system managers identified above.

Record access procedures: Same individuals as above.

Contesting record procedures: GSA rules for access to records, for contesting the contents, and for appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: The individuals themselves, their supervisors, emergency listings, disaster plans, and personnel files.

GSA/ADTS 5 (23-00-0080)

System name: Financial Management Files, GSA/ADTS.

System location: Financial Management Division and offices of the Central Office and regional offices of ADTS at the addresses listed in the appendix following the GSA/ADTS notices.

Categories of individuals covered by the system: GSA/ADTS Central Office and regional employees.

Categories of records in the system: Records are maintained in both paper and automated form for the purpose of financial management. Contains information on financial projections for short and long range planning, preparation of annual financial plans, monthly and quarterly analysis of operation funds, and verifying accounting reports. Contains records such as: Travel logs, transportation requests, claims, vouchers, within grade notices and pay changes, operator cost data, credit cards, requisitions, overtime requests, operating plans, time and attendance files, payroll, commercial call certifications, employment staffing, retirement eligibility, and manpower and payroll statistics.

Authority for maintenance of the system: Title 31 U.S.C. Sections 66a, 66b.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine use statements A, B, C, D, E, F, and G, described in the appendix following the GSA notices, apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files kept in storage containers. Magnetic tapes are filed in a tape library.

Retrievability: Filed alphabetically at each location by name of individual.

Safeguards: Buildings employ security guards. Records containing personal information are maintained in metal lockable filing cabinets or metal lockable desk drawers, with limited access. Tapes and other records are stored in a limited access area.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Director, Financial Management Division, GS Building, 18th & F Streets NW., Washington, DC; mailing address: General Services Administration (CXM), Washington, DC 20405; Director, Budgetary Control Division (CXB), ADTS, GS Building, 18th and F Sts. NW., Washington, DC 20405, and the Assistant Regional Administrator, ADTS, at the addresses listed in the appendix following the GSA/ADTS notices.

Notification procedure: Inquiries should be directed to the system managers identified above.

Record access procedures: Same individuals as above.

Contesting record procedures: GSA rules for access to records, for contesting the contents, and for appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: Individuals submitting the various types of claims, vouchers, and requests and manpower and payroll statistics.

GSA/ADTS 7 (23-00-0082)

System name: Workload Measurement Files, GSA/ADTS.

System location: Regional and Central Offices, ADTS, at the addresses listed in the appendix following the GSA/ADTS notices.

Categories of individuals covered by the system: Current employees of GSA/ADTS.

Categories of records in the system: Records are maintained in both paper and magnetic tape in this system for the purpose of measuring the productivity of ADTS technical and operational personnel in the Central Office and regions. Contains records such as: Tape, test, rerun logs, applied data processing time, productive performance, project status, personnel time summary, switchboard operator evaluation, RAMUS reports, systems and programming project status, tape error detection, FTS incoming and outgoing service message, switchboard operations reports, computer console, balance and job control sheets, historical and workload files.

Authority for maintenance of the system: Title 5 U.S.C. Section 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine use statements A, B, C, D, E, F, and G, described in the appendix following the GSA notices apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files are kept in file cabinets and desk drawers. Automated records are maintained in a tape library.

Retrievability: Records are filed alphabetically by individuals' name, number, initials or operating location.

Safeguards: Buildings employ security guards and storage containers for paper records are either locked or in a limited access area. Automated records are maintained in a controlled tape library.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Director, Management Services Staff (CMA), GSA, ADTS, 18th and F Streets, NW., Washington, DC 20405 and the Assistant Regional Administrators, ADTS at the addresses listed in the appendix following the GSA/ADTS notices.

Notification procedure: Inquires should be directed to the system managers identified above.

Record access procedures: Same individuals as above.

Contesting record procedures: GSA rules for access to records, for contesting the contents, and for appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: The supervisor's review of message and tape logs, trouble reports, re-run sheets, the employee themselves, and other employees.

GSA/ADTS 8 (23-00-0096)

System name: Special Purpose Telephone Contact Listings GSA/ADTS.

System location: GSA/ADTS Regional Offices and GSA operated switchboards within the 11 GSA regions and the FTS Central Information Service and Emergency Poison Control listings at GSA, ADTS, National Capital Region, at the addresses listed in the appendix following the GSA/ADTS notices.

Categories of individuals covered by the system: Federal agency personnel as designated by the Federal agencies.

Categories of records in the system: Includes listings such as key personnel and Essential Residence Telephone Listing for the purpose of identifying essential residential telephone service to designated key officials in time of emergency; FTS Central Information Service for the purpose of contacting key officials for necessary day-to-day operations and in emergency situations; Emergency Poison Control Listings for the purpose of providing emergency medical assistance; and other listings of key officials for the purpose of day-to-day operations and emergencies. These listings may include name, position title, office address, office telephone number, home address, and/or home telephone number.

Authority for maintenance of the system: The Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine uses of these records shall include: (1) The transfer of GSA of the above described information from the Federal agency responsible for collecting the information for inclusion in the GSA-maintained nationwide central information service and in regional listings of Federal personnel designated as key personnel or points of contacts; (Personnel information; i.e., home address or telephone number, will not be disclosed to a caller. The GSA switchboard operator will either 'patch' the call through to the subject, or will notify the subject that a call has been made to him or her for call-back purposes.); (2) the transfer of designated essential residence information (and deletions from such list) in the regions to the appropriate telephone companies to provide emergency line load control pursuant to 41 CFR 105-35.6; and (3) the routine use statements A, B, C, D, F, and G, described in the appendix following the GSA notices, apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, tapes, and/or cards.

Retrievability: Indexed by name and/or agency.

Safeguards: Limited access areas and records are accessible only to authorized personnel of GSA.

Retention and disposal: Maintained until rescinded by authorized agency.

System manager(s) and address: The officials responsible for the telephone contact listings are (1) Central Information Service and Emergency Poison Control: Assistant Regional Administrators, ADTS, National Capital Region; (2) Regional listings: Assistant Regional Administrators, ADTS, in the appropriate regions. The addresses are listed in the appendix following the GSA/ADTS notices.

Notification procedure: Information may be obtained from the system managers listed above.

Record access procedures: Same individuals as above.

Contesting record procedures: GSA rules for access to records, for contesting the contents, and for appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: Information provided by Federal agencies and subject individuals.

Appendix GSA/ADTS Address of Locations

ADTS/GSA Central Office, 18th and F Streets, NW., Washington, DC 20405, Telephone: 202-566-1000.

National Capital Region, Assistant Regional Administrator, ADTS, 7th and D Streets, SW., Washington, DC 20407, Telephone: 202-472-1200.

Region 1
Assistant Regional Administrator, ADTS, John W. McCormack, P.O. and Courthouse, Post Office Square, Boston, MA 02109, Telephone: 617-233-5055.

Region 2
Assistant Regional Administrator, ADTS, 26 Federal Plaza, New York, NY 10007, Telephone: 216-264-1711.

Region 3
Assistant Regional Administrator, ADTS, 9th and Market Streets, Philadelphia, PA 19107, Telephone: 215-597-4901.

Region 4
Assistant Regional Administrator, ADTS, Richard B. Russell Federal Building, 75 Spring Street, SW., Atlanta, GA 30303, Telephone: 404-242-5104.

Region 5
Assistant Regional Administrator, ADTS, 230 South Dearborn Street, Chicago, IL 60604, Telephone: 312-886-3807.

Region 6
Assistant Regional Administrator, ADTS, 1500 E. Bannister Road, Kansas City, MO 64131, Telephone: 816-926-7309.

Region 7
Assistant Regional Administrator, ADTS, 819 Taylor Street, Fort Worth, TX 76102, Telephone: 817-334-2871.

Region 8
Assistant Regional Administrator, ADTS, Building 41, Denver Federal Cen., Denver, CO 80225, Telephone: 303-234-4337.

Region 9
Assistant Regional Administrator, ADTS, 525 Market Street, San Francisco, CA 94105, Telephone: 414-556-3272.

Region 10
Assistant Regional Administrator, ADTS, GSA Center, Auburn, WA 98002, Telephone: 206-833-6500 X421.

ADTS Central Office Field Activities
GSA/ADTS/CF, Skyline Two, Rm. 1100, 5203 Leesburg Pike, Falls Church, VA. 22041.

GSA/ADTS/CIF, 1815 North Lynn St., Arlington, VA. 22209.

GSA/ADTS/CDDE, Rm. A-114, Bldg. 225, Gaitherburg, MD. 20762.

GSA/ADTS/CTDDM-R, P.O. Box 430, Romney, WV 26757.

GSA/ADTS/CTDDM-T, P.O. Box 17000, Austin, TX. 78764.

GSA/ADTS/CTOC, 218A West Main St., Scott Air Force Base, Belleville, IL 62220.

GSA/ADTS/CDPXW, Rm. 7A38, 819 Taylor St., Fort Worth, TX 76102.

GSA/FSS 9 (23-00-0091)

System name: Cataloging Action Master File—Work Measurement System.

System location: General Services Administration, Tape Library, 7th & D Streets SW, Washington, DC 20407.

Categories of individuals covered by the system: Supply catalogers processing catalog action requests.

Categories of records in the system: The system consists of records kept on each individual showing the status of transactions the individual has in process and the number of actions completed, rejected, or approved. The records are primarily used by officers and employees of the agency to determine status of transactions and to summarize work done by individuals.

Authority for maintenance of the system: Title 40 U.S.C., Section 487.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine use statements A, B, C, and D, described in the appendix following the GSA notices, apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Mag-tape and print-outs.

Retrievability: Alphabetic code assigned to individuals.

Safeguards: Buildings employ security guards and records are maintained in areas accessible only to authorized personnel of FSS.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: The official responsible for the system of records is the Director, Programs and Systems Development Division, Office of Item Management, Crystal Mall 4, Federal Supply Service, Washington, DC 20405. Mailing address: General Services Administration (FRID), Washington, DC 20406.

Notification procedure: Information may be obtained from the official cited above.

Record access procedures: Requests from individuals to access records should be addressed to the official cited above. In person, requests may be made during normal business hours listed for each location in the appendix following notice GSA/FSS 12.

For written requests, the individual should provide full name, address and telephone number, period of employment, and position held to assist the office in locating the record. For personal visits, the individual should be able to provide some acceptable identification such as driver's license or employee identification. Only general inquiries may be made by telephone.

Contesting record procedures: GSA rules for access to records, for contesting the contents, and for appealing initial determinations are promulgated in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: Data provided by individuals.

GSA/FSS 12 (23–00–0094)

System name: Accountability and Property Inventory Systems GSA/FSS.

System location: Assistant Regional Administrator's offices; regional offices of the Retail Services Division and Procurement Divisions; and supply distribution facilities at the addresses listed in the appendix following this notice. In addition, portions of the systems of records are maintained at retail stores in the regions. Addresses of these locations can be obtained from the applicable regional director.

Categories of individuals covered by the system: Depot personnel, store managers, and contracting officers.

Categories of records in the system: Custody of wax seals, records of keys issued, accountability of Government property and supplies, bonding of collection officers, contracting officer designations and discrepancy reports. (The records are primarily used by officers and employees of the agency who have a need for the record in the performance of their duties.)

Authority for maintenance of the system: Title 40 U.S.C. Section 483; Title 5 U.S.C. generally; Title 21 U.S.C. generally.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine use statements A, B, and G, described in the appendix following the GSA notices, apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper Forms.

Retrievability: Filed alphabetically by individual name.

Safeguards: Buildings employ security guards and records are maintained in areas accessible only to authorized personnel of FSS.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: The official responsible for the system of records is the Support Services Supervisor, Administrative Services Division, Office of Management, Crystal Mall 4, Federal Supply Service, Washington, DC 20406. Mailing address: General Services Administration (FPC), Washington, DC 20406.

Notification procedure: Information may be obtained from the regional director of the applicable activity shown in the location portion of this notice in which the individual is or was employed with. If not known, general inquiries should be made to the Support Services Supervisor, Administrative Services Division, Office of Management, Federal Supply Service, Washington, DC 20406.

Record access procedures: Requests from individuals to access records should be addressed to the officials cited above. In person requests may also be made during normal business hours listed for each location in the appendix following this notice.

For written requests, the individual should provide full name, address and telephone number, period of employment and position held to assist the office in locating the record. For personal visits, the individual should be able to provide some acceptable identification such as driver's license and employee identification. Only general inquiries may be made by telephone.

Contesting record procedures: GSA rules for access to records, for contesting the contents, and for appealing initial determinations are promulgated in 41 CFR Part 105–64, published in the Federal Register.

Record source categories: Individual prepared forms, agency supervisors, and personnel action forms.

Appendix—GSA/FSS Addresses of Locations

Regional Offices

National Capital Region
7th and D Streets SW., Washington, DC 20407.

Region 1
805 John W. McCormack Post Office and Courthouse, Post Office Square, Boston, MA 02109.

Region 2
26 Federal Plaza, Room 2836, New York, NY 10007.

Region 3
9th and Market Sts, Philadelphia, GA 19107.

Region 4
75 Spring St. SW., Atlanta, GA 30303.

Region 5
John C. Kluezynski Federal Building, 230 South Dearborn Street, Chicago, IL 60604.

Region 6
Federal Building, 1500 East Bannister Road, Kansas City, MO 64131.

Region 7
819 Taylor Street, Fort Worth, TX 76102.

Region 8
Building No. 41, Denver Federal Center, Denver, CO 80225.

Region 9
525 Market Street, San Francisco, CA 94105.

Region 10
GSA Center, Auburn, WA 98002.

GSA Supply Distribution Facilities
GSA Supply Distribution Facility, 295 Lincoln Street, Hingham, MA 02043.

GSA Supply Distribution Facility, Belle Mead, NJ 08502.

GSA Supply Distribution Facility, Military Ocean Terminal Bayonne, NJ 07002.

GSA Supply Distribution Facility, Building 246, Raritan Depot, Edison, NJ 08817.

GSA Supply Distribution Facility, Springfield, VA 22150.

GSA Supply Distribution Facility, Federal Supply Service, 2800 Eastern Boulevard, Middle River, MD 21220.

GSA Supply Distribution Facility, Hampton Roads Army Terminal, 7737 Hampton Boulevard, Norfolk, VA 23505.

GSA Supply Distribution Facility, 3312 Berkely Lake Rd, Duluth, GA 30136.

GSA Supply Distribution Facility, Garden City Terminal, Savannah State Docks and Warehouses, P.O. Box 7076, Garden City, GA 31408.

GSA Supply Distribution Facility, 4100 W. 76th Street, Chicago, IL 60629.

GSA Supply Distribution Facility, Building 31, Shelby, OH 44875.

GSA Supply Distribution Facility, 1500 E. Bannister Road, Kansas City, MO 64131.

GSA Supply Distribution Facility, Warehouse 3, Federal Center, Fort Worth, TX 76115.

GSA Supply Distribution Facility, 500 Edwards Avenue, Harahan, LA.

GSA Supply Distribution Facility, Building 810, Denver Federal Center, Denver, CO 80225.

GSA Supply Distribution Facility, 1600 12th Street NW., Albuquerque, NM.

GSA Supply Distribution Facility, Building C6, Annex 3, Federal Depot, Clearfield, UT 84016.

GSA Supply Distribution Facility, Building T3069, Hickam AFB, Honolulu, HI 96824.

GSA Supply Distribution Facility, Building 414, Rough and Ready Island, Stockton, CA 95203.

GSA Supply Distribution Facility, Auburn, WA 98002.

GSA/FPRS-2 (23–00–0110)

System name: Hazardous Materials Exposure History System.

System location: Records are maintained at the GSA/FPRS stockpile depots at the addresses shown in the appendix following this notice.

Categories of individuals covered by the system: Personnel working or visiting storage areas containing hazardous materials.

Categories of records in the system: Records consist of the daily dosage of radiation received and hourly exposure to dangerous levels of asbestos. The records are primarily used by officers and employees of the agency who have a need for the records in the performance of their duties.

Authority for maintenance of the system: Occupational Safety and Health Act of 1970, as amended (84 Stat. 1590).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information on exposure readings is provided to the regulatory agencies charged with the responsibilities for regulating the handling of hazardous materials. The routine use statements A, B, C. D, and E, described in the appendix following the GSA notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper forms.

Retrievability: Filed alphabetically by individual's name.

Safeguards: Buildings employ security guards and records are maintained in areas accessible only to authorized personnel of FPRS.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Assistant Commissioner, Office of Property Management (DM), Crystal Square Building 5, Arlington, VA. Mailing address: General Services Administration (DM), Washington, DC 20406.

Notification procedure: Individuals may obtain information about whether they are part of this system of records from the director of the applicable activity that the individual is or was employed with. If not known, general inquiries should be made to the system manager.

Record access procedures: Requests from individuals to access records should be addressed to the official cited above. In person requests may also be made during normal business hours at each location listed in the appendix following this notice. For written requests, the individual should provide full name, address, telephone number, period of employment, and the position held to assist the office in locating the record. For personal visits, the individual should be able to provide some acceptable identification such as driver's license or employee identification card. Only general inquiries may be made by telephone.

Contesting record procedures: GSA rules for contesting records and for appealing initial determinations are contained in 41 CFR Part 105-64.

Record source categories: Information in this system of records is obtained from film badges, dosimeters, other instrumentation, work logs, and medical examinations.

Appendix—GSA/FPRS Location Addresses

Regional Offices
National Capital Regional (NCR), 7th and D Streets SW., Washington, DC 20407.

Region 1
John W. McCormack Post Office and Courthouse, Post Office Square, Boston, Massachusetts 02109.

Region 2
26 Federal Plaza, New York, New York 10007.

Region 3
7th and D Streets SW., Washington, DC 20407.

Region 4
75 Spring Street SW., Atlanta, Georgia 30303.

Region 5
230 South Dearborn Street, Chicago, Illinois 60604.

Region 6
1500 E. Bannister Road, Kansas City, Missouri 64131.

Region 7
89 Taylor Street, Forth Worth, Texas 76102.

Region 8
Building 41, Denver Federal Center, Denver, Colorado 80225.

Region 9
525 Market Street, San Francisco, California 94105.

Region 10
GSA Center, Auburn, Washington 98002.

GSA/FPRS Stockpile Depots
GSA-FPRS Baton Rouge Depot, 2695 N. Sherwood Forest Drive, Baton Rouge, LA 70810.

GSA-FPRS Federal Service Center (C/D), 4747 Eastern Avenue, Building 1, Bell, CA 90201.

GSA-FPRS Bethlehem Depot, Bethlehem, PA 18015.

GSA-FPRS Belle Mead Depot, Belle Mead, NJ 08502.

GSA-FPRS Binghamton Depot, Binghamton, NY 13901.

GSA-FPRS Casad Depot, New Haven, IN 46774.

GSA-FPRS Depot, The Federal Depot, Clearfield, UT 84016.

GSA-FPRS Curtis Bay Depot, Baltimore, MD 21226.

GSA-FPRS Dayton Depot, 2400 West Dorothy Lane, Dayton, OH 45439.

GSA-FPRS Erie Depot, P.O. Box 344, Port Clinton, OH 43452.

GSA-FPRS Fort Worth Depot, 819 Taylor Street, Fort Worth, TX 76102.

GSA-FPRS Gadsden Depot, P.O. Box 918, Hammond, IN 46325.

GSA-FPRS Marion Depot, P.O. Box 348, Marion, OH 43302.

GSA-FPRS Building 7050, P.O. Box 6, Mira Loma, CA 91752.

GSA-FPRS New Bedford Depot, King Street and Nash Road, New Bedford, MA 20745.

GSA-FPRS Point Pleasant Depot, 2601 Madison Avenue, Point Pleasant, WV 25550.

GSA-FPRS Scotia Depot, Scotia, NY 12302.

GSA-FPRS Sharonville Depot, P.O. Box 41131, Cincinnati, OH 45241.

GSA-FPRS Somerville Depot, Somerville, NJ 08876.

GSA-FPRS Depot, Rough and Ready Island, Building 606, Stockton, CA 95203.

GSA-FPRS Topeka Depot, Building 301, Topeka, KS 66601.

GSA-FPRS Warren Depot, Warren OH 44482.

GSA-FPRS Buffalo Depot (Address all mail to the Sharonville Depot).

GSA-FPRS Marietta Depot (Address all mail to Region 3).

GSA-FPRS Terre Haute Depot (Address all mail to the Sharonville Depot).

GSA-FPRS Voorheesville Depot (Address all mail to the Scotia Depot).

GSA/TPUS-2 (23-00-0107)

System name: Accountability and Property Inventory System.

System location: Records are maintained at the Assistant Regional Administrator offices and motor equipment divisions at the addresses listed in the appendix following this notice. In addition, portion of the records are maintained at motor pools located throughout the regions, the addresses of which can be obtained from the applicable regional director.

Categories of individuals covered by the system: Motor pool personnel.

Categories of records in the system: Records of keys issued, accountability of Government property and supplies, bonding of collection officers, contractor officer designations, and discrepancy reports. The records are primarily used by officers and employees of the agency who have a need for the records in the performance of their duties.

Authority for maintenance of the system: Title 40 U.S.C. Section 483; Title 5 U.S.C. generally; and Title 31 U.S.C. generally.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The routine use statements A, B, C, D, E, and G, described in the appendix following the GSA notices, apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper forms.

Retrievability: Individual's name.

Safeguards: Buildings employ security guards and records are maintained in areas accessible only to authorized personnel of TPUS.

Retention and disposal: Disposition of records shall be in accordance with the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Executive Director (TS), Transportation and Public Utilities Service, 425 I Street, NW., Chester A. Arthur Building, Washington, DC 20406. Mailing address: General Services Administration (TS), Washington, DC 20406.

Notification procedure: Individuals may obtain information about whether they are part of this system of records from the regional director of the applicable activity shown in the location portion of this notice in which the individual is or was employed. If not known, general inquiries should be made to the Office of the Executive Director (TS), Transportation and Public Utilities Service, 425 I Street, NW., Chester A. Arthur Building, Washington, DC 20406.

Record access procedures: Requests from individual to access records should be addressed to the officials cited above. In person requests may also be made during normal business hours at each location listed in the appendix following this notice. For written requests, the individual should provide full name, address, and telephone number; approximate dates and places of employment; and any other information which the individual believes would facilitate locating the record. For personal visits, the individual should be able to provide some acceptable identification such as a driver's license or employment identification card. Only general inquiries may be made by telephone.

Contesting record procedures: GSA rules for contesting records and for appealing initial determinations are contained in 41 CFR Part 105-64, published in the Federal Register.

Record source categories: Information in this system of records is obtained from the individuals, agency supervisors, and personnel action forms.

Appendix—GSA/TPUS Addresses of Locations

Region 1
John W. McCormack Post Office and Courthouse Office Square, Boston, MA 02109.

Region 2
26 Federal Plaza, New York, NY 10007.

Region 3
9th and Market Streets, Philadelphia, PA 19107.

Region 4
75 Spring Street, SW., Atlanta, GA 30303.

Region 5
230 South Dearborn Street, Chicago, IL 60604.

Region 6
1500 E. Bannister Road, Kansas City, MO 64131.

Region 7
817 Taylor Street, Fort Worth, TX 76102.

Region 8
Building 41, Denver Federal Center, Denver, CO 80225.

Region 9
525 Market Street, San Francisco, CA 94105.

Region 10
GSA Center, Auburn, WA 98002.

National Capital Region
7th and D Streets SW., Washington, DC 20407.

Appendix

The following routine use statements will apply to General Services Administration notices where indicated:

A. Routine Use—Law Enforcement: In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

B. Routine Use—Disclosure When Requesting Information: A record from this system of records may be disclosed as a routine use to a Federal, State, or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary, to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

C. Routine Use—Disclosure of Requested Information: A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision, on the matter.

D. Routine Uses—Grievance, Complaint, Appeal: A record from this system of records may be disclosed to an authorized appeal or grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Office of Personnel Management in accordance with the agency's responsibility for evaluation of Federal personnel management. To the extent that official personnel records in the custody of GSA are covered within systems of records published by the Office of Personnel Management as Government-wide records, those records will be considered as a part of that Government-wide system. Other official personnel records covered by notices published by GSA and considered to be separate systems of records may be transferred to the Office of Personnel Management in accordance with official personnel programs and activities as a routine use.

E. Routine Use—Congressional Inquiries: A record from this system of records may be disclosed as a routine use to a Member of Congress or to a Congressional staff member in response to an inquiry of the Congressional office made at the request of the individual about whom the record is maintained.

F. Routine Use—Private Relief Legislation: The information contained in this systems of records may be disclosed to the Office of Management and Budget in connection with the review of private relief legislation at any stage of the legislative coordination and clearance process.

G. Routine Use—GSA Agents: A record from this system of records may be disclosed as a routine use (1) to an expert, a consultant, or a contractor of GSA to the extent necessary to further the performance of a Federal duty and (2) to a physician to conduct a fitness-for-duty examination of a GSA officer or employee.

GSA/OAP-1

System name:

Debarred, Suspended, and Ineligible Contractors.

System location:

This system of records is located in the Office of GSA Acquisition Policy and Regulations at 18th and F Streets, NW, Washington, DC.

Categories of individuals covered by the system:

a. Individuals and firms excluded from the Federal procurement process by any Federal executive agency.

b. Individuals and firms referred to the Office of GSA Acquisition Policy and Regulations by GSA offices for consideration to debar or suspend under current procedures.

Categories of records in the system:

Records include lists of individuals and firms who have been excluded from the Federal procurement process; correspondence from Federal agencies identifying excluded individuals and firms and the cause for exclusion from the Federal procurement process; and case files on individuals and firms referred to the Office of GSA Acquisition Policy and Regulations for consideration to suspend and/or debar.

Authority for maintenance of the system:

Federal Property and Administrative Services Act of 1949, as amended, 41 U.S.C. 253(b); Federal Acquisition Regulation (FAR) 9.4; Office of Federal Procurement Policy letter 82-1, June 24, 1982.

Purpose(s):

To assemble information to ensure that Federal contracts are awarded to responsible firms and individuals.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The routine use statements C and E described in the appendix following the GSA notices apply to this system of records. In addition, the following statements apply.

a. To disclose information to contracting officers and other Federal, State, and local employees involved in procuring goods and service with Federal funds.

b. To disclose information to a Federal, State, or local agency responsible for investigating, prosecuting enforcing, or carrying out a statute, rule, regulation, or order, where the General Services Administration becomes aware of a violation or potential violation of civil or criminal law or regulation.

c. To disclose information to another Federal agency or a court when the Government is party to a judicial proceeding.

d. To disclose information to an expert, consultant, or contractor in the performance of a Federal duty.

e. To disclose information to an appeal or hearing examiner, equal employment opportunity investigator, arbitrator, or other official engaged in investigating or settling a grievance, complaint, or appeal filed by a contractor.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records and machine listings in file folders; disc storage in automated electronic system.

Retrievability:

File by case number, then name of firm and/or individual.

Safeguards:

When not in use by an authorized person, these records are stored in lockable file cabinets or in secured rooms. Access to electronic records is controlled through an I.D./password security system.

Retention and disposal:

Disposal of records is described in the HB, GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address:

Director, Office of GSA Acquisition Policy and Regulations, General Services Administration (VP), 18th and F Streets, NW, Washington, DC 20405.

Notification procedure:

Firms and individuals may obtain information by contacting the system manager at the above address.

Record access procedures:

Requests from firms and individuals for access to records should be addressed to the system manager as noted above. For identification requirements see the agency regulations outlined in 41 CFR Part 105-64.

Contesting record procedures:

GSA rules for contesting the contents and appealing initial decisions are issued in 41 CFR Part 105-64.

Record source categories:

Federal agencies and State and local law enforcement officials.

GENERAL SERVICES ADMINISTRATION

41 CFR PART 105-64—REGULATIONS IMPLEMENTING THE PRIVACY ACT OF 1974

Sec.

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Subpart 105-64.5—Reporting New Systems and Altering Existing Systems

105-64.501 Reporting requirement.
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Subpart 105-64.6—Exemptions

105-64.601 General exemptions.
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Subpart 105-64.7—Assistance and Referrals

105-64.701 Requests for assistance and referral.

Authority: Sec. 205(c), 63 Stat. 390 (40 U.S.C. 486(c)); 88 Stat. 1897 (5 U.S.C. 552a).

Source: 50 FR 43139, Oct. 24, 1985, unless otherwise noted.

§ 105-64.000 Scope of part.

The policies and procedures for collecting, using, and disseminating records maintained by GSA are subject to 5 U.S.C. 552a, and defined in § 105-64.002. Policies and procedures governing availability of records in general are in Parts 105-60 and 61 of this chapter. This part also covers exemptions from disclosing personal information; procedures guiding persons who wish to obtain information, or to inspect or correct the content of records; accounting for disclosure of information; requirements for medical records; and fees.

§ 105-64.001 Purpose.

This part implements 5 U.S.C. 552a (Pub. L. 93-579), known as the Privacy Act of 1974 (referred to as the Act). This part states procedures for notifying an individual of a GSA system of records containing a record pertaining to him or her, procedures for gaining access to or contesting the content of records, and other procedures for carrying out the Act.

§ 105-64.002 Definitions.

For the purpose of this Part 105-64, the terms listed below are defined as follows:

(a) Agency means agency as defined in 5 U.S.C. 552(e);

(b) Individual means a citizen of the United States or a legal alien admitted for permanent residence;

(c) Maintain means keep, collect, use and disseminate;

(d) A record means any item, collection, or grouping of information an agency maintains about a person, including, but not limited to, his or her educational background, financial transactions, medical history, and employment or criminal history, and that contains his or her name or other identifying number of symbols such as a fingerprint, voiceprint, or photograph;

(e) A system of records means any group of records under the control of the agency from which information is retrieved by a person's name or by an identifying number, symbols, or other identifiers assigned to that individual;

(f) A statistical record means an item of information maintained for statistical research or reporting purposes that is not used in making any determination about an identifiable person, except as provided by Section 8 of Title 13 U.S.C.;

(g) Routine use means using a record for the purpose for which it was intended;

(h) System manager means the GSA employee who maintains a system of records and who collects, uses, and disseminates the information in it;

(i) The subject individual means the person named or discussed in a record or the person to whom a record refers;

(j) Disclosure means transferring a record, a copy of a record, or the information contained in a record to someone other than the subject individual, or the reviewing of a record by someone other than the subject individual;

(k) Access means a transfer of a record, a copy of a record, or the information in a record to the subject individual, or the review of a record by the subject individual; and

(l) Solicitation means a request by an officer or employee of GSA for a person to provide information about himself or herself.

Subpart 105-64.1—General Policy

§ 105.64.101 Maintenance of records.

§ 105.64.101-1 Collection and use.

(a) *General.* The system manager (also called the manager) should collect information used for determining an individual's rights, benefits, or privileges under GSA programs directly from the subject individual if practical. The system manager should ensure that information collected is used only as intended by the Act and these regulations.

(b) *Soliciting information.* Manager must ensure that when information is solicited, the person is informed of the authority for collecting it; whether providing it is mandatory or voluntary; the purpose for which it will be used; routine uses of the information; and the effect on the individual, if any, of not providing the information. Heads of Services and Staff Offices and Regional Administrators must ensure that forms used to solicit information comply with the Act and these regulations.

(c) *Soliciting a social security number.* Before requesting a person to disclose his or her social security number, ensure either:

(1) The disclosure is required by Federal statute, or;

(2) Disclosure is required under a statute or regulation adopted before January 1, 1975, to verify the person's identity, and that it was part of a system of records in existence before January 1, 1975.

If soliciting a social security number is authorized under paragraph (c) (1) or (2) of this section, inform the person beforehand whether the disclosure is mandatory or voluntary, by what legal or other authority the number is requested, and the use that is to be made of it.

(d) *Soliciting information from third parties.* Officers or employees must inform third parties requested to provide information about another person of the reason for collecting the information.

§ 105.64.101-2 Standards of accuracy.

Managers should ensure that the records used by the Agency to make determinations about an individual are maintained with the accuracy, relevance, timeliness, and completeness needed to ensure fairness to the individual.

§ 105.64.101-3 Rules of conduct.

Those who design, develop, operate, or maintain a system of records, or any record, must review 5 U.S.C. 552a and the regulations in this part and follow 41 CFR Part 105-735, Standards of Conduct, for protecting personal information.

§ 105.64.101-4 Safeguarding systems of records.

Managers must ensure that administrative, technical, and physical safeguards are established to ensure the security and confidentiality of records and to protect against possible threats or hazards which could be harmful, embarrassing, inconvenient, or unfair to any individual. They must protect personnel information contained in manual and automated systems of records by using the following safeguards:

(a) Storing official personnel folders and work folders in a lockable filing cabinet when not in use. The system manager may use an alternative storage system if it provides the same security as a locked cabinet.

(b) Designating other sensitive records that need safeguards similar to those described in paragraph (a) of this section.

(c) Permitting access to and use of automated or manual personnel records only to persons whose official duties require it, or to a subject individual or to his or her representative.

§ 105.64.101-5 Inconsistent directives of GSA superseded.

This Part 105-64 applies or takes precedence when any GSA directive disagrees with it.

§ 105.64.102 Records of other agencies.

If a GSA employee receives a request to review records that are the primary responsibility of another agency, but are maintained by or in the temporary possession of GSA, the employee should consult with the other agency before releasing the records. Records in the custody of GSA that are the responsibility of the Office of Personnel Management (OPM) are governed by rules issued by OPM under the Privacy Act.

§ 105-64.103 Subpoenas and other legal demands.

Access to systems of records by subpoena or other legal process must meet the provisions of Subpart 105-60.6 of this chapter.

Subpart 105-64.2—Disclosure of records.

§ 105-64.201 Conditions of disclosure.

GSA employees may not disclose any record to a person or another agency without the express written consent of the subject individual unless the disclosure is:

(a) To GSA officials or employees who need the information to perform their official duties;

(b) Required by the Freedom of Information Act;

(c) For a routine use identified in the Federal Register;

(d) For Bureau of the Census use under Title 13 of the United States Code;

(e) To someone who has assured GSA in writing that the record is to be used solely for statistical research or reporting, and if it does not identify an individual;

(f) To the National Archives of the United States as a record that has historical or other value warranting permanent retention;

(g) To another agency or instrumentality under the jurisdiction or control of the United States for a civil or criminal law enforcement activity, if the head of the agency or instrumentality or the designated representative has made a written request to GSA specifying the part needed and the law enforcement agency seeking it;

(h) To a person showing compelling circumstances affecting someone's health and safety not necessarily the subject individual (Upon disclosure, a notification must be sent to the subject individual's last known address);

(i) To either House of Congress or to a committee or subcommittee (joint or of either House), to the extent that the matter falls within its jurisdiction;

(j) To the Comptroller General or an authorized representative while performing the duties of the General Accounting Office;

(k) Under an order of a court of competent jurisdiction; or

(l) To a consumer reporting agency under section 3(d) of the Federal Claims Collection Act of 1966 (31 U.S.C. 3711(f)(1)).

§ 105-64.202 Procedures for disclosure.

(a) On receiving a request to disclose a record, the manager should verify the requester's right to obtain the information under § 105-64.201. Upon verification, the manager may make the records available.

(b) If the manager decides the record can't be disclosed, he or she must inform the requester in writing and state that the denial can be appealed to the GSA Privacy Act Officer, General Services Administration (ATRAI), for a final decision.

§ 105-64.203 Accounting of disclosure.

(a) Except for disclosures made under § 105-64.201 (a) and (b), an accurate account of each disclosure is kept and retained for 5 years or for the life of the record, whichever is longer. The date, reason, and type of information disclosed, as well as the name and address of the person or agency to whom you disclosed it are noted.

(b) The manager also keeps with the account of information disclosed:

(1) A statement justifying the disclosure;

(2) Any documentation related to disclosing a record for statistical or law enforcement use; and

(3) The written consent of the person concerned.

(c) Except when records are disclosed to agencies or instrumentalities for law enforcement under § 105-64.201(g) or from exempt systems (see Subpart 105-64.6), accounts of information disclosed must be opened to the person concerned, upon request. Procedures to request such access are given in the following subpart.

Subpart 105-64.3—Individual Access to Records

§ 105-64.301 Access procedures.

§ 105-64.301-1 Form of requests.

(a) A person who wants to see a record or any information concerning him or her that is contained in a system or records maintained in the GSA Central Office should send a written request to the GSA Privacy Act Officer, General Services Administration (ATRAI), Washington, DC 20405. For records maintained in GSA regional offices, send the request to the Director, Administrative Services Division at the address shown in § 105-64.301-6.

(b) Requests must be made in writing and must be labeled Privacy Act Request both on the letter and on the envelope. The letter should contain the full name and identifying number of the system as published in the **Federal Register**; the full name and address of the subject individual; a brief description of the nature, time, place, and circumstances of the person's association with GSA; and any other information that would indicate whether the information is in the system of records. The 10-workday time limit for the agency to reply under § 105-64.301-3, begins when a request is received in the office of the official identified in this section.

(c) Managers may accept oral requests for access, if the requester is properly identified.

§ 105-64.301-2 Special requirements for medical records.

(a) A manager who receives a request for access to official medical records belonging to the Office of Personnel Management and described in Chapter 339, Federal Personnel Manual (records about entrance qualification, fitness for duty, or records filed in the official personnel folder), should refer the matter to a Federal medical officer for a decision under this section. If no medical officer is available, the manager should send the request and the medical reports to the Office of Personnel Management for a decision.

(b) If the Federal medical officer believes the medical records requested by the subject individual discuss a condition that a physician would hesitate to reveal to the person, the manager may release the information only to a physician designated in writing by the subject individual, his or her guardian, or conservator. If the records contain information the physician would likely disclose to the person, the information may be released to anyone the person authorizes in writing to receive it.

§ 105-64.301-3 Granting access.

(a) Upon receiving a request for access to nonexempt records, the manager must make them available to the subject individual or acknowledge the request within 10 workdays after it is received, stating when the records will be available.

(b) If the manager expects a delay of more than the 10 days allowed, he or she should state the reason why in the acknowledgement.

(c) If a request for access does not contain enough information to find the records, the manager should request additional information from the individual and is allowed 10 more workdays after receiving it to make the records available or acknowledge receiving the request.

(d) Records are available during normal business hours at the offices where the records are maintained. Requesters should be prepared to identify themselves by signature and to show other identification verifying their signature.

(e) Managers may permit an individual to examine the original of a nonexempt record and, if asked, provide the person with a copy of the record. Fees are charged only for copies given to the person, not for copies made for the agency's convenience.

(f) A requester may pick up a record in person or receive it by mail, directed to an address provided in the request. The manager should not give a record to a third party to deliver to the subject individual, except medical records as outlined in § 105-64.301-2 or as described in paragraph (g) of this section.

(g) If a person wants to have someone else accompany him or her while reviewing a record or when obtaining a copy of it, he or she must first sign a statement authorizing the disclosure of the record. The system manager shall maintain this statement with the record.

(h) The procedure to review the account of disclosures is the same as the procedures for reviewing a record.

§ 105-64.301-4 Denials of access.

(a) A manager may deny access to a record only if the information is being compiled in reasonable acticipation of a civil action or proceeding as provided under 5 U.S.C. 552(d)(5) or if rules published in the **Federal Register** state that it is in a system of records that may not be disclosed. These systems are described in Subpart 105-64.6.

(b) If a manager receives a request for access to a record in an exempt system of record, he or she should forward it to the Head of the Service or Staff Office or Regional Administrator, attaching an explanation and recommending the request be denied or granted.

(c) If the manager is the Head of a Service or Staff Office or a Regional Administrator, he or she retains the responsibility for granting or denying the request.

(d) The head of the Service or Staff Office or Regional Administrator, in consultation with legal counsel and other officials concerned, should decide whether the requested record is exempt from disclosure and,

(1) If the record is not exempt, notify the system manager to grant the request under § 105-64.301-3; or

(2) If the record is part of an exempt system he or she should:

(i) Notify the requester that the request is denied, explain why it is denied, and inform the requester of his or her right to have GSA review the decision; or

(ii) Notify the manager to make the record available under § 105-64.301-3, even though it is in an exempted system.

(e) A copy of any denial of a request should be sent to the GSA Privacy Act Officer (ATRAI).

§ 105-64.301-5 Appeal of denial of access within GSA.

(a) A requester who is denied access, in whole or in part, to records pertaining to him or her may file an administrative appeal. Appeals should be addressed to the GSA Privacy Act Officer, General Services Administration (ATRAI), Washington, DC 20405, regardless whether the denial was made by a Central Office or a regional official.

(b) Each appeal to the Privacy Act Officer must be in writing. The appeal should be marked Privacy Act-Access Appeal, on the face of the letter and on the envelope.

(c) On receiving an appeal, the Privacy Act Officer consults with the manager, the official who made the denial, legal counsel, and other officials concerned. If the Privacy Act Officer, after consultation, decides to grant the request, he or she notifies the manager in writing to grant access to the record under § 105-64.301-3, or grants access himself or herself and notifies the requester of that action.

(d) If the Privacy Act Officer decides the appeal should be rejected, he or she sends the request file and any appeal, with a recommendation, to the Deputy Administrator for a final administrative decision.

(e) If the Deputy Administrator decides to grant a request, he or she promptly instructs the system manager in writing to grant access to the record under § 105–64.301–5. The Deputy Administrator sends a copy of the instructions to the Privacy Act Officer, who notifies the requester.

(f) If the Deputy Administrator rejects an appeal, he or she should promptly notify the requester in writing. This action constitutes the final administrative decision on the request and should state:

(1) The reason for rejecting the appeal; and

(2) That the requester has the right to have a court review the final decision under § 105–64.408.

(g) The final decision must be made within 30 workdays from the date the appeal is received by the Privacy Act Officer. The Deputy Administrator may extend the time limit by notifying the requester in writing before the 30 days are up. The Deputy Administrator's letter should explain why the time was extended.

§ 105-64.301-6 Geographic composition, addresses and telephone numbers for regional Administrative Services Division directors.

Region 1

Boston (includes Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont) Telephone: 617–223–5212

Director, Administrative Services Division, General Services Administration (1BR), John W. McCormack Post Office and Courthouse, Boston, MA 02109

Region 2

New York (includes New Jersey, New York, the Commonwealth of Puerto Rico, and the Virgin Islands) Telephone: 212–264–8262

Director, Administrative Services Division, General Services Administration (2BR), 26 Federal Plaza, New York, NY 10278

Region 3

Philadelphia (includes Delaware, Maryland, Pennsylvania, Virginia, and West Virginia with the exception of the National Capital Region) Telephone: 215–597–7926

Director, Administrative Services Division, General Services Administration (3BR), Ninth and Market Streets, Philadelphia, PA 19107

Region 4

Atlanta (includes Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee) Telephone: 404–221–3240

Director, Administrative Services Division, General Services Administration (4BR), 75 Spring Street, SW, Atlanta, GA 30303

Region 5

Chicago (includes Illinois, Indiana, Michigan, Ohio, Minnesota, and Wisconsin) Telephone: 312–353–8421

Director, Administrative Services Division, General Services Administration (5BR), 230 South Dearborn Street, Chicago, IL 60604

Region 6

Kansas City (includes Iowa, Kansas, Missouri, and Nebraska) Telephone: 816–374–7581

Director, Administrative Services Division, General Services Administration (6BR), 1500 East Bannister Road, Kansas City, MO 64131

Region 7

Fort Worth (includes Arkansas, Louisiana, New Mexico, Texas, and Oklahoma) Telephone: 817–334–2350

Director, Administrative Services Division, General Services Administration (7BR), 819 Taylor Street, Fort Worth, TX 76102

Region 8

Denver (includes Colorado, North Dakota, South Dakota, Montana, Utah, and Wyoming) Telephone: 303–776–2231

Director, Administrative Services Division, General Services Administration (8BR), Building 41, Denver Federal Center, Denver, CO 80225

Region 9

San Francisco (includes Hawaii, California, Nevada, and Arizona) Telephone: 415–556–9130

Director, Administrative Services Division, General Services Administration (9BR), 525 Market Street, San Francisco, CA 95105

Region 10

Auburn (includes Alaska, Idaho, Oregon, and Washington) Telephone: 206–931–7128

Director, Administrative Services Division, General Services Administration (10BR), GSA Center, Auburn, WA 98002

National Capital Region

Washington, DC (includes the District of Columbia, the counties of Montgomery and Prince Georges in Maryland; the city of Alexandria and the counties of Arlington, Fairfax, Loudoun, and Prince William in Virginia) Telephone: 202–472–1650

Director, Adminstrative Services Division, General Services Administration (WBR), Seventh and D Streets, SW, Washington, DC 20407

§ 105–64.302 Fees.

§ 105–64.302–1 Records available at a fee.

The manager shall provide one copy of a record to a requester for the fee stated in § 105–64.302–6.

§ 105–64.302–2 Additional copies.

A reasonable number of additional copies shall be provided for a fee if a requester cannot get copies made commercially.

§ 105–64.302–3 Waiver of fee.

The manager should make a copy of a record of up to 50 pages at no charge to a requester who is a GSA employee. The manager may waive the fee if the cost of collecting it is nearly as large as or greater than the fee, or if furnishing the record without charge is customary or in the public interest.

§ 105–64.302–4 Prepayment of fees over $25.

If a fee is likely to exceed $25, the manager notifies the person to pay the fee before GSA can make the records available. GSA will remit any overpayment or will send the requester a bill for any change over the amount paid.

§ 105–64.302–5 Form of payment.

Copies must be paid for by check or money order made out to the General Services Administration and addressed to the system manager.

§ 105–64.302–6 Reproduction fee schedule.

(a) The fee for copying a GSA record (by electrostatic copier) of 8 by 14 inches or less is 10 cents a page.

(b) The fee for copying a GSA record more than 8 by 14 inches or one that does not permit copying by routine procedures is the same as that charged commercially.

Subpart 105–64.4—Requests To Amend Records

§ 105–64.401 Submission of requests to amend records.

A person who wants to amend a record containing personal information should send a written request to the GSA Privacy Act Officer. A GSA employee who want to amend personnel records should send a written request to the General Services Administration, Director of Personnel (EP), Washington, DC 20405. It should show evidence of and justify the need to amend the record. Both the letter and the envelope should be marked "Privacy Act–Request to Amend Record".

§ 105–64.402 Review of requests to amend records.

(a) Managers must acknowledge a request to amend a record within 10 workdays after receiving it. If possible, the acknowledgment should state whether the request will be granted or denied, under § 105–64.404.

(b) In reviewing a record in response to a request to amend, the manager should weigh the accuracy, relevance, timeliness, and completeness of the existing record compared to the proposed amendment to decide whether the amendment is justified. On a request to delete information, the manager should also review the request and the existing record to decide whether the information is needed by the agency under a statute or an Executive order.

§ 105-64.403 Approval of requests to amend.

If a manager decides that a record should be amended, he or she must promptly correct it and send the person a corrected copy. If an accounting of disclosure was created to document disclosure of a record, anyone who previously received the record must be informed of the substance of the correction and sent a copy of the corrected record. The manager should advise the Privacy Act Officer that the request to amend was approved.

§ 105-64.404 Denial of requests to amend.

(a) If a manager decides that amending a record is improper or that it should be amended in a different way, he or she refers the request and recommendation to the Head of the Service or Staff Office or Regional Administrator through channels.

(b) If the Head of the Service or Staff Office or Regional Administrator decides to amend the record as requested, he or she should promptly return the request to the manager with instructions to make the amendment under § 105-64.403.

(c) If the Head of the Service or Staff Officer or Regional Administrator decides not to amend the record as requested, he or she should promptly advise the requester in writing of the decision. The letter shall (1) state the reason for denying the request; (2) include proposed alternate amendments, if appropriate; (3) state the requester's right to appeal the denial; and (4) tell how to proceed with an appeal.

(d) The Privacy Act Officer must be sent a copy of the original denial of a request to amend a record.

§ 105-64.405 Agreement to alternative amendments.

If the letter denying a request to amend a record proposes alternate amendments and the requester agrees to them, he or she must notify the official who signed the letter. The official should promptly instruct the manager to amend the record under § 105-64.403.

§ 105-64.406 Appeal of denial of request to amend a record.

(a) A requester who is denied a request to amend a record may appeal the denial. The appeal should be sent to the General Services Administration, Privacy Act Officer (ATRAI), Washington, DC 20405. If the request involves a record in a GSA employee's official personnel folder, as described in Chapter 293 of the Federal Personnel Manual, the appeal should be addressed to the Director, Bureau of Manpower Information Systems, Office of Personnel Management, Washington, DC 20415.

(b) The appeal to the Privacy Act Officer must be in writing and be received within 30 calendar days after the requester receives the letter stating the request was denied. It should be marked "Privacy Act—Appeal," both on the front of the letter and the envelope.

(c) On receiving an appeal, the Privacy Act Officer should consult with the manager, the official who made the denial, legal counsel, and other officials involved. If the Privacy Act Officer, after consulting with these officials, decides that the record should be amended as requested, he or she must promptly inform the manager to amend it under § 105-64.403 and shall notify the requester.

(d) If the Privacy Act Officer, after consulting with the officials listed in the above paragraph, decides to reject an appeal, he or she should send the file, with a recommendation, to the Deputy Administrator for a final administrative decision.

(e) If the Deputy Administrator decides to change the record, he or she should promptly instruct the manager in writing to amend it under § 105-64.403 and send a copy of the instruction to the Privacy Act Officer, who shall notify the requester.

(f) If the Deputy Administrator rejects an appeal, he or she should promptly notify the requester in writing. This is the final administrative decision on the request and should include:

(1) Why the appeal is rejected;

(2) Alternate amendments that the requester may accept under § 105-64.405;

(3) Notice of the requester's right to file a Statement of Disagreement that must be distributed under § 105-64.407; and

(4) Notice of requester's right to seek court review of the final administrative decision under § 105-64.408.

(g) The final agency decision must be made within 30 workdays from the date the Privacy Act Officer receives the appeal. In unusual circumstances, the Deputy Administrator may extend this time limit by notifying the requester in writing before the 30 days are up. The notice should explain why the limit was extended.

§ 105-64.407 Statements of disagreement.

On receiving a final decision not to amend a record, the requester may file a Statement of Disagreement with the manager. The statement should explain why the requester believes the record to be inaccurate, irrelevant, untimely, or incomplete. The manager must file the statement with the records and include a copy of it in any disclosure of the record. The manager must also provide a copy of the Statement of Disagreement to any person or agency to whom the record has been disclosed if the disclosure was made under the accounting requirement of § 105-64.202.

§ 105-64.408 Judicial review.

For up to 2 years after the final administrative decision under § 105-64.301-4 or § 105-64.406, a requester may seek to have the court overturn the decision. A civil action must be filed in the Federal District Court where the requester lives or has his or her principal place of business, where the agency records are maintained, or in the District of Columbia.

Subpart 105-64.5—Reporting New Systems and Altering Existing Systems

§ 105-64.501 Reporting requirement.

(a) At least 90 calendar days before establishing a new system of records, the manager must notify the Associate Administrator for Policy and Management Systems. The notification must describe and justify each system of records. If the Associate Administrator decides to establish the system, he or she should submit a proposal, at least 60 days before establishing the system, to the President of the Senate, the Speaker of the House of Representatives and the Director of the Office of Management and Budget for evaluating the effect on the privacy and other rights of individuals.

(b) At least 90 calendar days before altering a system of records, the responsible manager must notify the Associate Administrator for Policy and Management Systems. The notification must describe and justify altering the system of records. If the Associate Administrator decides to alter the system, he or she should submit a proposal, at least 60 calendar days before altering the system, to the President of the Senate, the Speaker of the House of Representatives, and the Director of the Office of Management and Budget for evaluating the effect on the privacy and other rights of individuals.

(c) Reports required by this regulation are exempt from reports control.

§ 105-64.502 Federal Register notice of establishment of new system or alteration of existing system.

The Associate Administrator for Policy and Management Systems must publish in the **Federal Register** a notice of intent to establish or alter a system of records:

(a) If he or she receives notice that the Senate, the House of Representatives, and the Office of Management and Budget (OMB) do not object to establishing or altering a system of records, or

(b) If 30 calendar days after submitting the proposal neither OMB nor the Congress objects.

§ 105-64.503 Effective date of new systems of records or alteration of an existing system of records.

When there is no objection to establishing or changing a system of records, it becomes effective 30 calendar days after the notice is published in the **Federal Register**.

Subpart 105-64.6—Exemptions

§ 105-64.601 General exemptions.

The following systems of records are exempt from the Privacy Act of 1974, except subsections (b); (c) (1) and (2); (e)(4) (A) through (F); (e) (6), (7), (9), (10), and (11); and (i) of the Act:

(a) Incident Reporting System, GSA/PBS-3.

(b) Investigation Case Files, ADM-24.

The systems of records GSA/PBS-3 and GSA/ADM-24 are exempt to the extent that information in them relates to enforcing the law, including police efforts to prevent, control, or reduce crime or to apprehend criminals; to the activities of prosecutors, courts, and correctional, probation, pardon, or parole authorities; and to (1) information compiled to identify criminal offenders and alleged offenders, consisting of records of arrests, disposition of criminal charges, sentencing, confinement, release, parole, and probation; (2) information compiled for a criminal investigation, including reports of informants and investigators that identify a person; or (3) reports that identify a person and were prepared while enforcing criminal laws, from arrest or indictment through release from parole. The law exempts these systems to maintain the effectiveness and integrity of the Federal Protective Service and the Office of Inspector General.

§ 105-64.602 Specific exemptions.

The following systems of records are exempt from subsections (c)(3); (d); (e)(1); (e)(4) (G), (H), and (I); and (f) of the Privacy Act of 1974;

(a) Incident Reporting System, GSA/PBS-3.

(b) Investigation Case Files, GSA/ADM-24.

(c) Security Files, HSA/HRO-37.

The systems are exempt (1) if they contain investigatory material compiled for law enforcement. However, if anyone is denied a right, privilege, or benefit for which they would otherwise be eligible because of the material, it should be provided to the person, except if it discloses the identify of a Government source of information which there is an express promise of confidentiality or before the effective date of this section, under an implied promise of confidentiality and (2) investigatory material compiled solely to decide suitability, eligibility, or qualification for Federal employment, military service, Federal contracts, or access to classified information, when disclosing the material would reveal the identity of a confidential Government informant, or prior to the effective date of this section, under an implied promise that their identity is to be held in confidence. The systems are exempted to maintain the effectiveness and integrity of investigations conducted as part of the Federal Protective Service, Office of Inspector General, and Office of Internal Security law enforcement duties or their responsibilities in the areas of Federal employment, Government contracts, and access to security classified information.

Subpart 105-64.7—Assistance and Referrals

§ 105-64.701 Requests for assistance and referral.

Requests for assistance and referral to a system manager or other GSA employee charged with implementing these regulations are made to the GSA Privacy Officer (ATRAI), General Services Administration, Washington, DC 20405.

HARRY S. TRUMAN SCHOLARSHIP FOUNDATION

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TSF-2 General Financial Records—Harry S. Truman Scholarship Foundation

TSF-3 General Informational Files—Harry S. Truman Scholarship Foundation

TSF-4 Applicant's Records—Harry S. Truman Scholarship Foundation

TSF—1

System name: Payroll Records—Harry S. Truman Scholarship Foundation.

System location: General Services Administration, Region 3 Office; copies held by the Foundation. (GSA holds records for the Foundation under contract.)

Categories of individuals covered by the system: Past and present Foundation employees.

Categories of records in the system: Varied payroll records, including, among other documents, time and attendance cards; payment vouchers; comprehensive listing of employees; health benefits records; requests for deductions; tax forms; W-2 forms; overtime requests; leave data; retirement records. Records are used by Foundation and GSA employees to maintain adequate payroll information for Foundation employees, and otherwise by Foundation and GSA employees who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix. Records also are disclosed to GAO for audits; to the Internal Revenue Service for investigations; and to private attorneys, pursuant to a power of attorney. Records are also disclosed by providing a copy of an employee's Federal Treasury Form W-2, "Wage and Tax Statement" to the State, city, or other local jurisdiction which is authorized to tax the employee's compensation. The record will be provided in accordance with a withholding agreement between the State, city, or other local jurisdiction and the Department of the Treasury pursuant to 5 U.S.C. 5516, 5517, and 5520 or in the absence thereof, in response to a written request for an appropriate official of the taxing jurisdiction to the Executive Secretary, Harry S. Truman Scholarship Foundation, 712 Jackson Place, NW, Washington, D.C. 20006. In the latter case, the request must include a copy of the applicable statute or ordinance authorizing the taxation of compensation and the solicitation of the Social Security number, and should indicate whether the authority of the jurisdiction to tax the employee is based on place of residence, place of employment, or both.

Pursuant to a withholding agreement between a city and the Department of the Treasury (5 U.S.C. 5520), copies of executed city tax withholding certificates shall be furnished the city in response to a written request from an appropriate city official to the Executive Secretary, Harry S. Truman Scholarship Foundation, 712 Jackson Place, NW, Washington, D.C. 20006.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microfilm.

Retrievability: Social Security Number.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records, shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Executive Secretary, Harry S. Truman Scholarship Foundation, 712 Jackson Place, NW, Washington, D.C. 20006.

Notification procedure: Refer to Foundation access regulations contained in 45 CFR Part 1800.

Record access procedures: Refer to Foundation access regulations contained in 45 CFR Part 1800.

Contesting record procedures: Refer to Foundation access regulations contained in 45 CFR Part 1800.

Record source categories: The subject individual; the Foundation.

TSF—2

System name: General Financial Records Harry S. Truman Scholarship Foundation.

System location: General Services Administration, Central Office; copies held by the Foundation. (GSA holds records for the Foundation under contract.)

Categories of individuals covered by the system: Employees of the Foundation and members of its Board of Trustees.

Categories of records in the system: SF-1038, Application and account for advance of funds; Vendor register and vendor payment tape. Information is used by accounting technicians to maintain adequate financial information and by other officers and employees of GSA and the Foundation who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally; also, the Foundation's authorizing legislation, Pub. L. 93-642 (20 U.S.C. 2001).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix. Records also are released to GAO for audits; to the IRS for investigation; and to private attorneys, pursuant to power of attorney.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and tape.

Retrievability: Manual and automated by name.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GAS Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Executive Secretary, Harry S. Truman Scholarship Foundation, 712 Jackson Place, NW, Washington, D.C. 20006.

Notification procedure: Refer to Foundation access regulations contained in 45 CFR Part 1800.

Record access procedures: Refer to Foundation access regulations contained in 45 CFR Part 1800.

Contesting record procedures: Refer to Foundation access regulations contained in 45 CFR Part 1800.

Record source categories: The subject individual; the Foundation.

TSF—3

System name: General Informational Files—Harry S. Truman Scholarship Foundation.

System location: Harry S. Truman Scholarship Foundation, 712 Jackson Place, NW, Washington, D.C. 20006.

Categories of individuals covered by the system: Foundation employees and members of its Board of Trustees.

Categories of records in the system: General personnel information, including, among other data, copies of training and travel records, applications, suggestions, position descriptions, request for and notification of personnel action, employee performance ratings and promotion appraisals, time and attendance records, security clearances, titles, date of birth, grade, salary employment history, home address, age, marital status, Social Security Number, home telephone number, resumes, general correspondence, and letters of recommendation. System also contains copies of official Civil Service Commission and Foundation personnel forms.

Authority for maintenance of the system: 5 U.S.C., generally; also, the Foundation's authorizing legislation, Pub. L. 93-642 (20 U.S.C. 2001).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix. Completion of agency forms for requests for personnel actions, security clearances, training authorizations, travel authorizations, time and attendance records, reports, etc. Also used for issuing passes, motor pool ID, etc. Information is used "in house" for personnel evaluation and management. Information is disclosed to persons outside the agency for verifying employment/salary, preparing letters of reference at the request of the employee, making travel and training arrangements, and furnishing copies of performance appraisals to other government agencies when employees have applied for jobs elsewhere.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files.

Retrievability: Manual by name.

Safeguards: Stored in guarded building, released only to authorized personnel.

Retention and disposal: Disposition of records, shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Executive Secretary, Harry S. Truman Scholarship Foundation, 712 Jackson Place, NW, Washington, D.C. 20006

Notification procedure: Refer to Foundation access regulations contained in 45 CFR Part 1800.

Record access procedures: Refer to Foundation access regulations contained in 45 CFR Part 1800.

Contesting record procedures: Refer to Foundation access regulations contained in 45 CFR Part 1800.

Record source categories: Official personnel records, GSA Personnel and Finance Offices, Supervisors, letters of reference or recommendation furnished by agency officials or persons from private industry, educational information supplied by colleges and universities, the subject individual.

TSF—4

System name: Applicant's Records—Harry S. Truman Scholarship Foundation.

System location: Harry S. Truman Scholarship Foundation, 712 Jackson Place, NW, Washington, D.C. 20006 and Educational Testing Service, Princeton, N.J.

Categories of individuals covered by the system: Persons nominated by colleges and universities in the United States, for consideration as potential Truman Scholars.

Categories of records in the system: Documents and certifications to assist Foundation staff in evaluating a person's application for a Truman Scholarship, including, among other documents, a listing of leadership positions held in high school and college; and of public service activities; letters of recommendation; test results, personal essay on the applicant's interest in entering public service; a statement of intent to enter the public service; certifications as to U.S. citizenship and academic standings; test scores.

Authority for maintenance of the system: The Foundation's authorizing legislation, Pub. L. 93-642 (20 U.S.C. 2001).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix. Records also are released to experts and consultants hired by the Foundation or its administrative agent, Educational Testing Service, for evaluation and recommendation with respect to applicants' qualifications for a Truman Scholarship.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Manual and automated by name.

Safeguards: Stored in a guarded building; released only to authorized personnel.

Retention and disposal: Foundation retains records only of those chosen as finalists in competition (Truman Scholars and alternates); all others are destroyed.

System manager(s) and address: Executive Secretary, Harry S. Truman Scholarship Foundation, 712 Jackson Place, NW, Washington, D.C. 20006.

Notification procedure: Refer to Foundation access regulations contained in 45 CFR Part 1800.

Record access procedures: Refer to Foundation access regulations contained in 45 CFR Part 1800.

Contesting record procedures: Refer to Foundation access regulations contained in 45 CFR Part 1800.

Record source categories: The subject individual; the nominating institution; reference supplied by the subject individual.

APPENDIX—HARRY S. TRUMAN SCHOLARSHIP FOUNDATION

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether, civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a "routine use" to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of any employee, the issuance of a security clearance, the letting of a contract or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of Federal personnel management.

A record from this system of records may be disclosed to officers and employees of a Federal agency for purposes of audit.

A record from this system of records may be disclosed as a routine use to a Member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Title 45-Public Welfare

Subtitle B-Regulations Relating to Public Welfare

Chapter XVIII-Harry S. Trumen Scholarship Foundation

PART 1800—PRIVACY ACT OF 1974

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1800.2 Definitions.
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1800.5 Access to requested information to the individual.
1800.6 Request for correction or amendment to the record.
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1800.10 Fees.

Authority: 5 U.S.C. 552a; Pub. L. 93–579.

Source: 41 FR 52677, Dec. 1, 1976, unless otherwise noted.

§ 1800.1 Purpose and scope.

The purposes of these regulations are to:

(a) Establish a procedure by which an individual can determine if the Harry S. Truman Scholarship Foundation (hereafter known as the Foundation) maintains a system of records which includes a record pertaining to the individual; and

(b) Establish a procedure by which an individual can gain access to a record pertaining to him or her for the purpose of review, amendment and/or correction.

§ 1800.2 Definitions.

For the purpose of these regulations—

(a) The term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

(b) The term "maintain" includes maintain, collect, use or disseminate;

(c) The term "record" means any item, collection or grouping of information about an individual that is maintained by the Foundation, including, but not limited to, his or her employment history, payroll information, and financial transactions and that contains his or her name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as social security number;

(d) The term "system of records" means a group of any records under the control of the Foundation from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual; and

(e) The term "routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

§1800.3 Procedures for requests for access to individual records in a record system.

An individual shall submit a request to the Deputy Executive Secretary of the Foundation to determine if a system of records named by the individual contains a record pertaining to the individual. The individual shall submit a request to the Deputy Executive Secretary of the Foundation which states the individual's desire to review his or her record.

§ 1800.4 Times, places, and requirements for the identification of the individual making a request.

An individual making a request to the Deputy Executive Secretary of the Foundation pursuant to § 1800.3 shall present the request at the Foundation offices, 712 Jackson Place, NW., Washington, D.C. 20006, on any business day between the hours of 9 a.m. and 5 p.m. The individual submitting the request should present himself or herself at the Foundation's offices with a form of identification which will permit the Foundation to verify that the individual is the same individual as contained in the record requested.

§ 1800.5 Access to requested information to the individual.

Upon verification of identity the Foundation shall disclose to the individual the information contained in the record which pertains to that individual.

§ 1800.6 Request for correction or amendment to the record.

The individual should submit a request to the Deputy Executive Secretary of the Foundation which states the individual's desire to correct or to amend his or her record. This request is to be made in accord with the provisions of § 1800.4.

§ 1800.7 Agency review of request for correction or amendment of the record.

Within ten working days of the receipt of the request to correct or to amend the record, the Deputy Executive Secretary of the Foundation will acknowledge in writing such receipt and promptly either—

(a) Make any correction or amendment of any portion thereof which the individual believes is not accurate, relevant, timely, or complete; or

(b) Inform the individual of his or her refusal to correct or to amend the record in accordance with the request, the reason for the refusal, and the procedures established by the Foundation for the individual to request a review of that refusal.

§ 1800.8 Appeal of an initial adverse agency determination on correction or amendment of the record.

An individual who disagrees with the refusal of the Deputy Executive Secretary of the Foundation to correct or to amend his or her record may submit a request for a review of such refusal to the Executive Secretary, Harry S. Truman Scholarship Foundation, 712 Jackson Place, NW., Washington, D.C. 20006. The Executive Secretary will, not later than thirty working days from the date on which the individual requests such review, complete such review and make a final determination unless, for good cause shown, the Executive Secretary extends such thirty day period. If, after his or her review, the Executive Secretary also refuses to correct or to amend the record in accordance with the request, the individual may file with the Foundation a concise statement setting forth the reasons for his or her disagreement with the refusal of the Foundation and may seek judicial review of the Executive Secretary's determination under 5 U.S.C. 552a(g)(1)(A).

§ 1800.9 Disclosure of record to a person other than the individual to whom the record pertains.

The Foundation will not disclose a record to any individual other than to the individual to whom the record pertains without receiving the prior written consent of the individual to whom the record pertains, unless the disclosure has been listed as a "routine use" in the Foundation's notices of its systems of records.

§ 1800.10 Fees.

If an individual requests copies of his or her record, he or she shall be charged ten cents per page, excluding the cost of any search for review of the record, in advance of receipt of the pages.

28 CFR CHAPTER VII—OFFICE OF INDEPENDENT COUNSEL

PART 700—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION OF THE OFFICE OF INDEPENDENT COUNSEL

Subpart A—Protection of Privacy and Access to Individual Records Under the Privacy Act of 1974

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Subpart B—Exemption of the Office of Independent Counsel's Systems of Records—Limited Access

700.31 Exemption of the Office of Independent Counsel's Systems of Records—Limited Access.

Authority: 5 U.S.C. 552a.

Source:53 FR 48097, Dec. 18, 1987.

Subpart A—Protection of Privacy and Access to Individual Records Under the Privacy Act of 1974

§ 700.10 General provisions.

(a) *Purpose and scope.* The subpart contains the regulations of the Office of Independent Counsel implementing the Privacy Act of 1974, 5 U.S.C. 552a. The regulations apply to all records that are contained in systems of records maintained by the Office of Independent Counsel and that are retrieved by an individual's name or personal identifier. These regulations set forth the procedures by which an individual may seek access under the Privacy Act to records pertaining to him, may request correction of such records, or may seek an accounting of disclosures of such records by the office.

(b) *Transfer of law-enforcement records.* The head of the Office, or his designee, is authorized to make written requests under 5 U.S.C. 552a(b)(7) for transfer of records maintained by other agencies that are necessary to carry out an authorized law-enforcement activity of the Office.

(c) *Definitions.* As used in this subpart, the following terms shall have the following meanings:

(1) "Agency" has the meaning given in 5 U.S.C. 551(1) and 5 U.S.C. 552a(a)(1).

(2) "Record" has the same meaning given in 5 U.S.C. 552(a)(4).

(3) "Request for access" means a request made pursuant to 5 U.S.C. 552a(d)(1).

(4) "Request for correction" means a request made pursuant to 5 U.S.C. 552a(d)(2).

(5) "Request for an accounting" means a request made pursuant to 5 U.S.C. 552a(c)(3).

(6) "Requester" means an individual who makes either a request for access, a request for correction, or a request for an accounting.

(7) "System of records" means a group of any group of any records under the control of the Office from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to that individual.

§ 700.11 Request for access to records.

(a) *Procedure for making requests for access to records.* An individual may request access to a record about him by appearing in person or by writing the Office. A requester in need of guidance in defining his request may write to the FOIA/PA Officer, Office of Independent Counsel, Suite 701 West, 555 Thirteenth Street, NW, Washington, DC. 20004. Both the envelope and the request itself should be marked: "Privacy Act Request."

(b) *Description of records sought.* A request for access to records must describe the records sought in sufficient detail to enable Office personnel to locate the system of records containing the record with a reasonable amount of effort. Whenever possible, a request for access should describe the nature of the records sought, the date of the record or the period in which the record was compiled, and the name or identifying number of the system of records in which the requester believes the record is kept.

(c) *Agreement to pay fees.* The filing of a request for access to a record under this subpart shall be deemed to constitute an agreement to pay all applicable fees charged under § 700.17 up to $25.00. The Office shall confirm this agreement in its letter of acknowledgment to the requesters. When filing a request, a requester may specifiy a willingness to pay a greater amount, if applicable.

(d) *Verification of identity.* Any individual who submits a request for access to records must verify his identity in one of the following ways, unless the notice published in the **Federal Register** describing the relevant system of records provides otherwise.

(1) Any requester making a request in writing must state in his request his full name, current address, and date and place of birth. In addition, a requester must provide with his request an example of his signature, which shall be notarized. In order to facilitate the identification and location of the requested records, a requester may also, at his option, include in his request his Social Security number.

(2) Any requester submitting a request in person may provide to the Office a form of Official photographic identification, such as a passport or an identification badge. If a requester is unable to produce a form of photographic identification, he may provide to the Office two or more acceptable forms of identification (such as a driver's license or credit card) bearing his name and address.

(e) *Verification of guardianship.* The parent or guardian of a minor (or the guardian of a person judicially determined to be incompetent) who submits a request for access to the records of the minor or incompetent must establish:

(1) His own identity and the identity of the subject of the record, as required in paragraph (d) of this section,

(2) That he is the parent or guardian of the subject of the record, which may be proved by providing a copy of the subject's birth certificate showing parentage or by providing a court order establishing the guardianship, and

(3) That he seeks to act on behalf of the subject of the record.

§ 700.12 Responses to requests for access to records.

(a) *Authority to grant or deny requests.* The head of the Office, or his designee, is authorized to grant or deny any request for access to a record.

(b) *Initial action by the Office.* When the Office receives a request for access to a record in its possession, the Office shall promptly determine whether another Government agency is better able to determine whether the record is exempt, to any extent, from access. If the Office determines that it is the agency best able to determine whether the record is exempt, to any extent, from access, then the Office shall respond to the request. If the Office determines that it is not the agency best able to determine whether the record is exempt from access, the Office shall respond to the request, after consulting with the agency best able to determine whether the record is exempt from access. Under ordinary circumstances, the agency that generated or originated a requested record shall be presumed to be the agency best able to determine whether the record is exempt from access. However, nothing in this section shall prohibit the agency that generated or originated a requested record from consulting with the Office, if the agency that generated or originated the requested record determines that the Office has an interest in the requested record or the information contained therein.

(c) *Law-enforcement information.* Whenever a request for access is made for a record containing information that relates to an investigation of a possible violation of criminal law or to a criminal law-enforcement proceeding and that was generated or originated by another agency, the Office shall consult with that other agency, as appropriate.

(d) *Classified information.* Whenever a request for access is made for a record containing information that has been classified, or that may be eligible for classification, by another agency under the provision of Executive Order 12356 or any other Executive order concerning the classification of records, the Office shall refer the responsibilities for responding to the request to the agency that classified the information or should consider the information for classification. Whenever a record contains information that has been derivatively classified by the Office because it contains information classified by another agency, the Office shall refer the responsibility for responding to the request to the agency that classified the underlying information; however, such referral shall extend only to the information classified by the other agency.

(e) *Agreements regarding consultations.* No provision of this section shall preclude formal or informal agreements between the Office and another agency, to eliminate the need for consultations concerning requests or classes of requests.

(f) *Date for determining responsive records.* In determining records responsive to a request for access, the Office ordinarily will include only those records within the Office's possession and control as of the date of its receipt of the request.

§ 700.13 Form and content of Office responses.

(a) *Form of notice granting request for access.* After the Office has made a determination to grant a request for access in whole or in part, the Office shall so notify the requester in writing. The notice shall describe the manner in which access to the record will be granted and shall inform the requester of any fees to be charged in accordance with § 700.17.

(b) *Form of notice denying request for access.* When the Office denies a request for access in whole or in part it shall so notify the requester in writing. The notice shall be signed by the head of the Office, or his designee, and shall include:

(1) The name and title or position of the person responsible for the denial;

(2) A brief statement of the reason or reasons for the denial, including the Privacy Act exemption or exemptions that the Office has relied upon in denying the request and a brief explanation of the manner in which the exemption or exemptions apply to each record withheld; and

(3) A statement that the denial may be appealed under § 700.18(a) and a description of the requirements of that subsection.

(c) *Record cannot be located or has been destroyed.* If a requested record cannot be located from the information supplied, or is known or believed to have been destroyed or otherwise disposed of, the Office shall so notify the requester in writing.

(d) *Medical records.* When an individual requests medical records pertaining to himself that are not otherwise exempt from individual access, the Office may advise the individual that the records will be provided only to a physician, designated by the individual, who requests the records and establishes his identity in writing. The designated physician shall determine which records should be provided to the individual and which records should not be disclosed to the individual because of possible harm to the individual or another person.

§ 700.14 Classified information.

In processing a request for access to a record containing information that is classified or classifiable under Executive Order 12356 or any other Executive order concerning the classification of records, the Office shall review the information to determine whether it warrants classification. Information that does not warrant classification shall not be withheld from a requester on the basis of 5 U.S.C. 552a(k)(1). The Office shall, upon receipt of any appeal involving classified or classifiable information, take appropriate action to ensure compliance with the provisions of Executive Order 12356.

§ 700.15 Records in exempt systems of records.

(a) *Law-enforcement records exempted under subsections (j)(2) and (k)(2).* Before denying a request by an individual for access to a law-enforcement record that has been exempted from access pursuant to 5 U.S.C. 552a(k)(2), the Office must review the requested record to determine whether information in the record has been used or is being used to deny the individual any right, privilege, or benefit for which he would otherwise be eligible or to which he would otherwise be entitled under federal law. If so, the Office shall notify the requester of the existence of the record and disclose such information to the requester, except to the extent that the information would identify a confidential source. In cases when disclosure of information in a law-enforcement record could reasonably be expected to identify a confidential source, the record shall not be disclosed to the requester unless the Office is able to delete from such information all material that would identify the confidential source.

(b) *Employee background investigations.* When a requester requests access to a record pertaining to a background investigation and the record has been exempted from access pursuant to 5 U.S.C. 552a(k)(5), the record shall not be disclosed to the requester unless the Office is able to delete from such record all information that would identify a confidential source.

§ 700.16 Access to records.

(a) *Manner of access.* The Office, once it has made a determination to grant a request for access, shall grant the requester access to the requested record by—

(1) Providing the requester with a copy of the record or

(2) Making the record available for inspection by the requester at a reasonable time and place.

The Office shall in either case charge the requester applicable fees in accordance with the provisions of § 700.17. If the Office provides access to a record by making the record available for inspection by the requester, the manner of such inspection shall not unreasonably disrupt the operations of the Office.

(b) *Accompanying person.* A requester appearing in person to review his records may be accompanied by another individual of his own choosing. Both the requester and the accompanying person shall be required to sign a form stating that the Office of Independent Counsel is authorized to disclose the record in the presence of both individuals.

§ 700.17 Fees for access to records.

(a) *When charged.* The Office shall charge fees pursuant to 5 U.S.C. 552a(f)(5) for the copying of records to afford access to individuals unless the Office, in its discretion, waives or reduces the fees for good cause shown. The Office shall charge fees only at the rate of $0.10 per page. For materials other than paper copies, the Office may charge the direct costs of reproduction, but only if the requester has been notified of such costs before they are incurred. Fees shall not be charged when they would amount, in the aggregate, for one request or for a series of related requests, to less than $3.00. However, the Office may, in its discretion, increase the amount of this minimum fee.

(b) *Notice of estimated fees in excess of $25.* When the Office determines or estimates that the fees to be charged under this section may amount to more than $25, the Office shall notify the requester as soon as practicable of the actual or estimated amount of the fee, unless the requester has indicated in advance his willingness to pay a fee as high as that anticipated. (If only a portion of the fee can be estimated readily, the Office shall advise the requester that the estimated fee may be only a portion of the total fee.) When the estimated fee exceeds $25 and the Office has so notified the requester, the Office will be deemed not to have received the request for access to records until the requester has agreed to pay the anticipated fee. A notice to a requester pursuant to this paragraph shall offer him the opportunity to confer with Office personnel with the object of reformulating his request to meet his needs at a lower cost.

(c) *Form of payment.* Requesters must pay fees by check or money order made payable to the Treasury of the United States.

(d) *Advance deposits.* (1) When the estimated fee chargeable under this section exceeds $25, the Office may require a requester to make an advance deposit of 25 percent of the estimated fee or an advance payment of $25, whichever is greater.

(2) When a requester has previously failed to pay a fee charged under this part, the requester must pay the Office the full amount owed and make an advance deposit of the full amount of any estimated fee before the Office shall be required to process a new or pending request for access from that requester.

§ 700.18 Appeals from denials of access.

(a) *Appeals to Independent Counsel.* When the Office denies in whole or part a request for access to records, the requester may appeal the denial to Independent Counsel within 30 days of his receipt of the notice denying his request. An appeal to Independent Counsel shall be made in writing, addressed to the Office of Independent Counsel, Suite 701 West, 555 Thirteenth Street, NW., Washington, DC 20004. Both the envelope and the letter of appeal itself must be clearly marked: "Privacy Act Appeal."

(b) *Action on appeals.* Unless Independent Counsel otherwise directs, he or his designee shall act on all appeals under this section, except that: A denial of a request for access by Independent Counsel, or his designee, shall constitute the final action of the Office on that request.

(c) *Form of action on appeal.* The disposition of an appeal shall be in writing. A decision affirming in whole or in part the denial of a request for access shall include a brief statement of the reason or reasons for the affirmance, including each Privacy Act exemption relied upon and its relation to each record withheld, and a statement that judicial review of the denial is available in the United States District Court for the judicial district in which the requester resides or has his principal place of business, the judicial district in which the requested records are located, or the District of Columbia. If the denial of a request for access is reversed on appeal, the requester shall be so notified and the request shall be processed promptly in accordance with the decision on appeal.

§ 700.19 Preservation of records.

The Office shall preserve all correspondence relating to the requests it receives under this subpart, and all records processed pursuant to such requests, until such time as the destruction of such correspondence and records is authorized pursuant to Title 44 of the United States Code. Under no circumstances shall records be destroyed while they are the subject of a pending request for access, appeal, or lawsuit under the Act.

§ 700.20 Requests for correction of records.

(a) *How made.* Unless a record is exempted from correction and amendment, an individual may submit a request for correction of a record pertaining to him. A request for correction must be made in writing. The request must identify the particular record in question, state the correction sought, and set forth the justification for the correction. Both the envelope and the request for correction itself must be clearly marked: "Privacy Act Correction Request."

(b) *Initial determination.* Within 10 working days of receiving a request for correction, the Office shall notify the requester whether his request will be granted or denied, in whole or in part. If the Office grants the request for correction in whole or in part, it shall advise the requester of his right to obtain a copy of the corrected record, in releasable form, upon request. If the Office denies the request for correction in whole or in part, it shall notify the requester in writing of the denial. The notice of denial shall state the reason or reasons for the denial and advise the requester of his right to appeal.

(c) *Appeals.* When a request for correction is denied in whole or in part, the requester may appeal the denial to Independent Counsel within 30 days of his receipt of the notice denying his request. An appeal to Independent Counsel shall be made in writing, shall set forth the specific item of information sought to be corrected, and shall include any documentation said to justify the correction. An appeal shall be addressed to the Office of Independent Counsel, Suite 701 West, 555 Thirteenth Street, NW., Washington, DC 20004. Both the envelope and the letter of appeal itself must be clearly marked: "Privacy Act Correction Appeal."

(d) *Determination on appeal.* Independent Counsel, or his designee, shall decide all appeals from denials or requests to correct records. All such appeals shall be decided within 30 working days of receipt of the appeal, unless there is good cause to extend this period. If the denial of a request is affirmed on appeal, the requester shall be so notified in writing and advised of—

(1) The reason or reasons the denial has been affirmed,

(2) The requester's right to file a Statement of Disagreement, as provided in paragraph (e) of this section, and

(3) The requester's right to obtain judicial review of the denial in the United States District Court for the judicial district in which the requester resides or has his principal place of business, the judicial district in which the record is located, or the District of Columbia.

If the denial is reversed on appeal, the requester shall be so notified and the request for correction shall be remanded to the Office for processing in accordance with the decision on appeal.

(e) *Statements of disagreement.* A requester whose appeal under this section is denied shall have the right to file a Statement of Disagreement with the Office of Independent Counsel, Suite 701 West, 555 Thirteenth Street, NW., Washington, DC 20004, within 30 days of receiving notice of denial of his appeal. Statements of disagreement may not exceed one typed page per fact disputed. Statements exceeding this limit shall be returned to the requester for condensation. Upon receipt of a statement of disagreement under this section, Independent Counsel, or his designee, shall have the statement included in the system of records in which the disputed record is maintained and shall have the disputed record marked so as to indicate—

(1) That a statement of disagreement has been filed, and

(2) Where in the system of records the statement of disagreement may be found.

(f) *Notices of correction or disagreement.* Within 30 working days of the correction of a record, the Office shall advise all agencies to which it previously disclosed the record that the record has been corrected. Whenever an individual has filed a statement of disagreement, the Office shall append a copy of the statement to the disputed record whenever the record is disclosed. The Office may also append to the disputed record any written statement it has made giving the Office's reasons for denying the request to correct the record.

§ 700.21 Records not subject to correction.

The following records are not subject to correction or amendment as provided in § 700.20:

(a) Transcripts of testimony given under oath or written statements made under oath;

(b) Transcripts of grand jury proceedings, judicial proceedings, or quasi-judicial proceedings that constitute the official record of such proceedings;

(c) Presentence records that are the property of the courts, but may be maintained by the Office in a system of records; and

(d) Records duly exempted from correction pursuant to 5 U.S.C. 552a(j) or 552a(k) by notice published in the **Federal Register**.

§ 700.22 Request for accounting of record disclosures.

(a) An individual may request the Office to provide him with an accounting of those other agencies to which the Office has disclosed the record, and the date, nature, and purpose of each disclosure. A request for an accounting must be made in writing and must identify the particular record for which the accounting is requested. The request also must be addressed to the Office and both the envelope and the request itself must clearly be marked: "Privacy Act Accounting Request."

(b) The Office shall not be required to provide an accounting to an individual to the extent that the accounting relates to—

(1) Records for which no accounting must be kept pursuant to 5 U.S.C. 552a(c)(1),

(2) Disclosures of records to law-enforcement agencies for lawful law-enforcement activities, pursuant to written requests from such law-enforcement agencies specifying records sought and the law-enforcement activities for which the records are sought, under 5 U.S.C. 552a (c)(3) and (b)(7), or

(3) Records for which an accounting need not be disclosed pursuant to 5 U.S.C. 552a (j) or (k).

(c) A denial of a request for an accounting may be appealed to Independent Counsel in the same manner as a denial of a request for access, with both the envelope and the letter of appeal itself clearly marked: "Privacy Act Accounting Appeal."

§ 700.23 Notice of subpoenas and emergency disclosures.

(a) *Subpoenas.* When records pertaining to an individual are subpoenaed by a grand jury, court, or quasi-judicial authority, the official served with the subpoena shall be responsible for ensuring that written notice of its service is forwarded to the individual. Notice shall be provided within 10 working days of the service of the subpoena or, in the case of a grand jury subpoena, within 10 working days of its becoming a matter of public record. Notice shall be mailed to the last known address of the individual and shall contain the following information: The date the subpoena is returnable, the court or quasi-judicial authority to which it is returnable, the name and number of the case of proceeding, and the nature of the records sought. Notice of the service of a subpoena is not required if the system of records has been exempted from the notice requirement of 5 U.S.C. 552a(e)(8), pursuant to 5 U.S.C. 552a(j), by a Notice of Exemption published in the **Federal Register**.

(b) *Emergency disclosures.* If the record of an individual has been disclosed to any person under compelling circumstances affecting the health or safety of any person, as described in 5 U.S.C. 552a(b)(8), the individual to whom the record pertains shall be notified of the disclosure at his last known address within 10 working days. The notice of such disclosure shall be in writing and shall state the nature of the information disclosed, the person or agency to whom it was disclosed, the date of disclosure, and the compelling circumstances justifying the disclosure. The officer who made or authorized the disclosure shall be responsible for providing such notification.

§ 700.24 Security of systems of records.

(a) The Office Administrator or Security Officer shall be responsible for issuing regulations governing the security of systems of records. To the extent that such regulations govern the security of automated systems of records, the regulations shall be consistent with the guidelines developed by the National Bureau of Standards.

(b) The Office shall establish administrative and physical controls to prevent unauthorized access to its systems of records, to prevent the unauthorized disclosure of records, and to prevent the unauthorized disclosure of records, and to prevent the physical damage or destruction of records. The stringency of such controls shall reflect the sensitivity of the records the controls protect. At a minimum, however, the Office's administrative and physical controls shall ensure that—

(1) Records are protected from public view,

(2) The area in which records are kept is supervised during business hours to prevent unauthorized persons from having access to the records, and

(3) Records are inaccessible to unauthorized persons outside of business hours.

(c) The Office shall establish rules restricting access to records to only those individuals within the Office who must have access to such records in order to perform their duties. The Office also shall adopt procedures to prevent the accidental disclosure of records or the accidental granting of access to records.

§ 700.25 Use and collection of social security numbers.

(a) Each system manager of a system of records that utilizes Social Security numbers as a method of identification without statutory authorization, or authorization by regulation adopted prior to January 1, 1975, shall take steps to revise the system to avoid future collection and use of the Social Security numbers.

(b) The Office shall take such measures as are necessary to ensure that employees authorized to collect information from individuals are advised that individuals may not be required to furnish Social Security numbers without statutory or regulatory authorization and that individuals who are requested to provide Social Security numbers voluntarily must be advised that furnishing the number is not required and that no penalty or denial of benefits will flow from the refusal to provide it.

§ 700.26 Employee standards of conduct.

(a) The Office shall inform its employees of the provisions of the Privacy Act, including the Act's civil liability and criminal penalty provisions. The Office also shall notify its employees that they have a duty to—

(1) Protect the security of records,

(2) Assure the accuracy, relevance, timeliness, and completeness of records,

(3) Avoid the unauthorized disclosure, either verbal or written, of records, and

(4) Ensure that the Office maintains no system of records without public notice.

(b) Except to the extent that the Privacy Act permits such activities, an employee of the Office of Independent Counsel shall:

(1) Not collect information of a personal nature from individuals unless the employee is authorized to collect such information to perform a function or discharge a responsibility of the Office;

(2) Collect from individuals only that information that is necessary to the performance of the functions or to the discharge of the responsibilities of the Office;

(3) Collect information about an individual directly from that individual, whenever practicable;

(4) Inform each individual from whom information is collected of—

(i) The legal authority that authorizes the Office to collect such information,

(ii) The principal purposes for which the Office intends to use the information,

(iii) The routine uses the Office may make of the information, and

(iv) The effects upon the individual of not furnishing the information;

(5) Maintain all records that are used by the agency in making any determination about any individual with such accuracy, relevance, timeliness, and completeness as to assure fairness to the individual in the determination;

(6) Except as to disclosures to an agency or pursuant to 5 U.S.C. 552a(b)(2), make reasonable efforts, prior to disseminating any record about an individual, to assure that such records are accurate, relevant, timely, and complete;

(7) Maintain no record concerning an individual's religious or political beliefs or activities, or his membership in associations or organizations, unless—

(i) The individual has volunteered such information for his own benefit,

(ii) A statute expressly authorizes the Office to collect, maintain, use or disseminate the information, or

(iii) The individual's beliefs, activities, or membership are pertinent to and within the scope of an authorized law-enforcement or correctional activity;

(8) Notify the head of the Office of the existence or development of any system of records that has not been disclosed to the public;

(9) When required by the Act, maintain an accounting in the prescribed form of all disclosures of records by the Office to agencies or individuals whether verbally or in writing;

(10) Disclose no record to anyone, except within the Office, for any use, unless authorized by the Act;

(11) Maintain and use records with care to prevent the inadvertent disclosure of a record to anyone; and

(12) Notify the head of the Office of any record that contains information that the Act or the foregoing provisions of this paragraph do not permit the Office to maintain.

(c) Not less than once a year, the head of each Office shall review the systems of records maintained by that Office to ensure that the Office is in compliance with the provisions of the Privacy Act.

§ 700.27 Other rights and services.

Nothing in this subpart shall be construed to entitle any person, as of right, to any service or to the disclosure of any record to which such person is not entitled under 5 U.S.C. 552a.

Subpart B—Exemption of the Office of Independent Counsel's Systems of Records Under the Privacy Act

§ 700.31 Exemption of the Office of Independent Counsel's Systems of Records—Limited Access.

(a) The following system of records is exempt from 5 U.S.C. 552a(c) (3) and (4); (d); (e)(1), (2) and (3); (e)(4) (G), (H) and (I); (e) (5) and (8); (f); and (g):

(1) General Files System of the Office of Independent Counsel (OIC/001).

These exemptions apply only to the extent that information in the system is subject to exemption pursuant to 5 U.S.C. 552a (j)(2), (k)(1), (k)(2), and (k)(5).

(b) Exemptions from the particular subsections are justified for the following reasons:

(1) From subsection (c)(3) because making available to a record subject the accounting of disclosures from records concerning him/her would reveal investigative interest on the part of the Office of Independent Counsel as well as the recipient agency. This would permit record subjects to impede the investigation, e.g., destroy evidence, intimidate potential witnesses, or flee the area to avoid inquiries or apprehension by law-enforcement personnel. Moreover, the release of the accounting of disclosures made under subsection (b) of the Act, including those disclosures permitted under the routine uses published for these systems would permit the subject of an investigation of an actual or potential criminal, civil or regulatory violation to determine whether he is the subject of an investigation or to obtain valuable information concerning the nature of the investigation, material compiled during the investigation, and the identity of witnesses and informants. Disclosure of the accounting would, therefore, present a serious impediment to law enforcement. In addition, disclosure of the accounting would amount to notice to the individual of the existence of a record; such notice requirement under subsection (f)(1) of the Act is specifically exempted for this system of records.

(2) From subsection (c)(4) because an exemption is being claimed under subsection (d) of the Act. This system is exempt from the access provisions of subsection (d) pursuant to subsections (j) and (k) of the Privacy Act. Subsection (c)(4), therefore, is inapplicable to this system of records.

(3) From subsection (d) because the records contained in this system relate to official federal investigations. Individual access to these records contained in this system would inform the subject of an investigation of an actual or potential criminal, civil, or regulatory violation, of the existence of that investigation, of the nature and scope of the information and evidence obtained as to his activities, of the identities of witnesses and informants, or would provide information that could enable the subject to avoid detection or apprehension. These factors would present a serious impediment to effective law enforcement because they could prevent the successful completion of the investigation, reveal confidential

informants, endanger the physical safety of witnesses or informants, and lead to the improper influencing of witnesses, the destruction of evidence, or the fabrication of testimony. Individual access also could constitute an unwarranted invasion of the personal privacy of third parties who are involved in an investigation. Amendment of the records would interfere with ongoing criminal-law enforcement proceedings and impose an impossible administrative burden.

(4) From subsections (e) (1) and (5) because, in the course of criminal or other law-enforcement investigation, cases and matters, the Office of Independent Counsel may occasionally obtain information concerning actual or potential violations of law that are not strictly within its authority or jurisdiction, or may compile information, the accuracy of which is unclear or which is not strictly relevant or necessary to a specific investigation. In the interests of effective law enforcement, it is appropriate and necessary to retain all information that may aid in establishing patterns of criminal activity. Moreover, it would impede the specific investigative process if it were necessary to ensure the relevance, accuracy, timeliness and completeness of all information obtained. In particular, this would restrict the ability of trained investigators, intelligence analysts, and government attorneys to exercise their judgment in reporting on information and investigations.

(5) From subsection (e)(2) because, in a criminal or other law-enforcement investigation, the requirement that information be collected to the greatest extent possible from the subject individual would present a serious impediment to law enforcement. In such circumstances, the subject of the investigation or prosecution would be informed of the existence of the investigation and would therefore be able to avoid detection, apprehension, or legal obligations or duties, as well as to influence witnesses improperly, to destroy evidence, or to fabricate testimony.

(6) From subsection (e)(3) because compliance with the requirements of this subsection during the course of an investigation could impede the information-gathering process, thus hampering the investigation. Furthermore, such requirements could compromise the existence of a confidential investigation or reveal the identity of witnesses or confidential informants.

(7) From subsections (e)(4) (G) and (H) because this system is exempt from the individual-access provisions of subsection (d) pursuant to subsections (j) and (k) of the Privacy Act.

(8) From subsection (e)(4)(I) because the categories of sources of records in this system have been published in the **Federal Register** in broad generic terms in the belief that this is all that subsection (e)(4)(I) of the Act requires. In the event, however, that this subsection should be interpreted to require more detail as to the identity of sources of the records in these systems, exemption from this provision is necessary in order to protect the confidentiality of the sources of criminal and other law-enforcement information. Such exemption is further necessary to protect the privacy and physical safety of witnesses and informants.

(9) From subsection (e)(8) because the individual-notice requirements of subsection (e)(8) could present a serious impediment to law enforcement through interference with the Office of Independent Counsel's ability to issue subpoenas and the disclosure of its investigative techniques and procedures.

(10) From subsection (f) because this system is exempt from the individual-access provisions of subsection (d) pursuant to subsections (j) and (k) of the Privacy Act. Furthermore, such notice to an individual would be detrimental to the successful conduct and/or completion of an investigation or prosecution pending or future.

(11) From subsection (g) because this system is exempt from the individual-access and amendment provisions of subsection (d) and the provisions of subsection (f) pursuant to subsections (j) and (k) of the Privacy Act.

(c) The following system of records is exempt from 5 U.S.C. 552a(c) (3) and (4), (d), (e) (1), (2) and (3), (e)(4), (G), (H) and (I); (e) (5) and (8); (f) and (g):

(1) Freedom of Information Act/Privacy Act Files (OIC/002). These exemptions apply to the extent that information in this system is subject to exemption pursuant ot 5 U.S.C. 552a(j)(2), (k)(1), (k)(2.) and (k)(5).

(d) Because this system contains Office of Independent Counsel criminal law-enforcement investigatory records, exemptions from the particular subsections are justified for the following reasons:

(1) From subsection (c)(3) because the release of the disclosure accounting would permit the subject(s) of criminal investigations under investigation or in litigation to obtain valuable information concerning the nature of that investigation, matter or case and present a serious impediment to law-enforcement activities.

(2) From subsection (c)(4) because an exemption is being claimed for subsection (d) of the Act, rendering this subsection inapplicable to the extent that this system of records is exempted from subsection (d).

(3) From subsection (d) because access to the records contained in this system would inform the subject of criminal investigation or case of the existence of such, and provide the subject with information that might enable him to avoid detection, apprehension or legal obligations, and present a serious impediment to law enforcement and other civil remedies. Amendment of the records would interfere with ongoing criminal law-enforement proceedings and impose an impossible administrative burden.

(4) From subsection (e)(1) because in the courses of criminal investigations, matters or cases, the Office of Independent Counsel often obtains information concerning the violation of laws other than those relating to an active case, matter, or investigation. In the interests of effective law enforcement and criminal litigation, it is necessary that the Office of Independent Counsel retain this information since it can aid in establishing patterns of activity and provide valuable leads for future cases that may be brought within the Office of Independent Counsel.

(5) From subsection (e)(2) because collecting information to the greatest extent possible from the subject individual of a criminal investigation or prosecution would present a serious impediment to law enforcement. In such circumstances, the subject of the investigation would be placed on notice of the existence of the investigation and would therefore be able to avoid detection, apprehension, or legal obligations and duties.

(6) From subsection (e)(3) because providing individuals supplying information with a form stating the requirements of subsection (e)(3) would constitute a serious impediment to law enforcement. In those circumstances, it could compromise the existence of a confidential investigation, reveal the identity of confidential sources of information, and endanger the life and physical safety of confidential informants.

(7) From subsection (e)(4) (G), (H) and (I) because this system of records is exempt from the individual-access and amendment provisions of subsection (d) and the rules provisions of subsection (f).

(8) From subsection (e)(5) because, in the collection of information for law enforcement purposes, it is impossible to

determine in advance what information is accurate, relevant, timely, and complete. With the passage of time, seemingly irrelevant or untimely information may acquire new significance as further investigation brings new details to light and the accuracy of such information can only be determined in a court of law. The restrictions of subsection (e)(5) would inhibit the ability of trained investigators and intelligence analysts to exercise their judgment in reporting on investigations and impede the development of intelligence necessary for effective law enforcement.

(9) From subsection (e)(8) because the individual-notice requirements of subsection (e)(8) could present a serious impediment to law enforcement, i.e., this could interfere with the Office of Independent Counsel's ability to issue subpoenas and could reveal investigative techniques and procedures.

(10) From subsection (f) because this system has been exempted from the individual-access and amendment provisions of subsection (d).

(11) From subsection (g) because the records in this system are generally compiled for law-enforcement purposes and are exempt from the individual-access and amendment provisions of subsections (d) and (f), this rendering subsection (g) inapplicable.

INTER-AMERICAN FOUNDATION

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IAF—1

System name: Conflict of Interest Files—IAF.

System location: Inter-American Foundation, 1515 Wilson Blvd., Rosslyn, Va. 22209.

Categories of individuals covered by the system: Employees of Foundation at GS 13 level and above.

Categories of records in the system: Title; Date of Appointment; Employment and financial interests, position in organization, nature of financial interest; names and addresses of creditors, character of indebtedness; interests in real property, nature of interest, type of property and address; name, address, and nature of subject matter of other persons supplying information.

Authority for maintenance of the system: 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used "in house".

(a) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nautre, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(b) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

(c) A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

(d) It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(1) The agency, or any component thereof;

(2) Any employee of the agency in his or her official capacity; or

(3) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(4) The United States, where the agency determines that litigation is likely to affect the agency or any of its components.

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

(e) It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(1) The agency, or any component thereof; or

(2) Any employee of the agency in his or her capacity; or

(3) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(4) The United States, where the agency determines that litigation is likely to affect the agency or any of its components.

is a party or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files.

Retrievability: Manual Identifier—Name.

Safeguards: Filed in locked, steel cabinets; records available to authorized persons only.

Retention and disposal: Destroyed after two years of inactivity (Being negotiated).

System manager(s) and address: General Counsel, Inter-American Foundation, 1515 Wilson Blvd., Rosslyn, Va. 22209.

Notification procedure: Contact individual listed above, or Director, Administration and Finance, Inter-American Foundation, 1515 Wilson Blvd., Rosslyn, Va. 22209.

Record access procedures: IAF access procedures are contained in Rules Safeguarding Personal Information in IAF Record.

Contesting record procedures: Contesting Record Procedures are contained in Rules Safeguarding Personal Information in IAF Records.

Record source categories: Individual himself and people named by individual to supply information.

IAF—2

System name: Foundation Fellowship Program Files—IAF.

System location: Inter-American Foundation, 1515 Wilson Blvd., Rosslyn, Virginia 22209.

Categories of individuals covered by the system: Candidates for Fellowship Program who have submitted aplications and Fellows chosen for the program.

Categories of records in the system: General personnel information including home and work phone numbers, citizenship, date and place of birth, age, name and citizenship of spouse, social security number, number and ages of children, educational history, employment history, travel experience, health status, language capability, honors and publications, personal resume, letters of recommendation, grade transcripts, comments by Screening Committee, research prospectus.

Authority for maintenance of the system: 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used "in house" for personnel evaluation and management.

(a) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program, statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing or prosecuting the statute, or rule, regulation or order issued pursuant thereto.

(b) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information, relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

(c) A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the infomation is relevant and necessary to the requesting agency's decision on the matter.

(d) It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(1) The agency, or any component thereof;

(2) Any employee of the agency in his or her official capacity; or

(3) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(4) The United States, where the agency determines that litigation is likely to affect the agency or any of its components.

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

(e) It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(1) The agency, or any component thereof; or

(2) Any employee of the agency in his or her capacity; or

(3) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(4) The United States, where the agency determines that litigation is likely to affect the agency or any of its components.

is a party or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files.

Retrievability: Manual Identifier—Name.

Safeguards: Filed in locked, steel cabinets; records available to authorized persons only.

Retention and disposal: Disposed after three years of inactivity. (Being negotiated).

System manager(s) and address: Fellowship Coordinator, Inter-American Foundation, 1515 Wilson Blvd., Rosslyn, Va. 22209.

Notification procedure: Contact individual listed above, or Director, Administrator and Finance, Inter-American Foundation, 1515 Wilson Blvd., Rosslyn, Va. 22209.

Record access procedures: IAF access procedures are contained in Rules Safeguarding Personal Information in IAF Records.

Contesting record procedures: Contesting Record Procedures are also contained in Rules Safeguarding Personal Information.

Record source categories: Individual himself, educational institutions attended, medical doctors named by individual; letters of recommendation by people identified by individual.

IAF—3

System name: Informal Personnel Files—IAF.

System location: Inter-American Foundation, 1515 Wilson Blvd., Rosslyn, Va. 22209.

Categories of individuals covered by the system: Applicants for Employment and Employees.

Categories of records in the system: General personnel information including position descriptions, training records, request for notification of personnel action, performance appraisals, time and attendance records, security clearances, employment history, home address, titles, service comp dates, date of birth, grade and salary, age, social security number, home telephone number, resume, letters of recommendation, security investigation data for non-sensitive/non-critical positions, personal qualifications statement, recommendation for performance recognition, employment staffing report, payroll change slip, notice of injury or occupational disease.

Authority for maintenance of the system: 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used "in house" (non-routine uses) for personnel evaluation and management.

(a) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(b) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

(c) A record from this system of records may be disclosed to a federal agency, in response to it's request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

(d) It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(1) The agency, or any component thereof;

(2) Any employee of the agency in his or her official capacity; or

(3) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(4) The United States, where the agency determines that litigation is likely to affect the agency or any of its components.

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

(e) It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(1) The agency, or any component thereof; or

(2) Any employee of the agency in his or her capacity; or

(3) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(4) The United States, where the agency determines that litigation is likely to affect the agency or any of its components.

is a party or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files.

Retrievability: Manual. Identifier—Name.

Safeguards: Filed in locked, steel cabinets; records available to authorized persons only.

Retention and disposal: Destroyed after three years of inactivity (Being negotiated).

System manager(s) and address: Personnel Officer, Inter-American Foundation, 1515 Wilson Blvd., Rosslyn, Va. 22209.

Notification procedure: Contact individual listed above, or Director, Administration and Finance, Inter-American Foundation, 1515 Wilson Blvd., Rosslyn, Va. 22209.

Record access procedures: IAF access procedures are contained in Rules Safeguarding Personal Information in IAF records.

Contesting record procedures: Contesting Record Procedures are also contained in Rules Safeguarding Personal Information.

Record source categories: Individual himself; educational institutions; previous employers; letters of recommendations named by individual himself.

IAF—4

System name: Travel Records—IAF.

System location: Intera-American Foundation, 1515 Wilson Blvd., Rosslyn, Virginia 22209.

Categories of individuals covered by the system: IAF employees who travel and invitational persons.

Categories of records in the system: Passports, Travel Vouchers, Official Travel Authorizations, home address, home telephone number, date and place of birth, marital status, citizenship, social security number, spouse's name, number of children, immunizations records, travel advances.

Authority for maintenance of the system: 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used "in house" for management of travel.

(a) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

(b) A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

(c) A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

(d) It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(1) The agency, or any component thereof;

(2) Any employee of the agency in his or her official capacity; or

(3) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(4) The United States, where the agency determines that litigation is likely to affect the agency or any of its components.

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

(e) It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(1) The agency, or any component thereof; or

(2) Any employee of the agency in his or her capacity; or

(3) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(4) The United States, where the agency determines that litigation is likely to affect the agency or any of its components.

is a party or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files.

Retrievability: Manual. Identifier—Name.

Safeguards: Filed in locked file drawer at desk; records available to authorized persons only.

Retention and disposal: Destroyed after three years of inactivity (Being negotiated).

System manager(s) and address: Administrative Assistant, Travel Division, Administration and Finance, Inter-American Foundation, 1515 Wilson Blvd., Rosslyn, Va. 22209.

Notification procedure: Contact individual listed above, or Director, Administration and Finance, Inter-American Foundation, 1515 Wilson Blvd., Rosslyn, Va. 22209.

Record access procedures: IAF access procedures are contained in Rules Safeguarding Personal Information in IAF records.

Contesting record procedures: Contesting Record Procedures are also contained in Rules Safeguarding Personal Information.

Record source categories: Individual himself.

IAG—5

System name: General Financial Records—IAF.

System location: General Services Administration, Region 3 Office: copies held by Inter-American Foundation (GSA holds records for the Foundation under contract.)

Categories of records in the system: Varied payroll records, including, among other documents, time and attendance cards; payment vouchers; comprehensive listing of employees; health benefits records, requests for deductions; tax forms, W-2 forms, overtime requests; leave data; retirement records. Records are used by the Foundation and GSA employees to maintain adequate payroll information for the Foundation employees, and otherwise by Foundation and GSA employees who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally. Also Pub. L. 91-175.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(a) See Appendix.

(b) Records also are disclosed to GAO for audits; to the Internal Revenue Service for investigation; and to private attorneys, pursuant to a power of attorney.

A copy of an employee's Department of the Treasury Form W-2, Wage and Tax Statement, also is disclosed to the State, city, or other local jurisdiction which is authorized to tax the employee's compensation. The record will be provided in accordance with a withholding agreement between the State, city, or other local jurisdiction and the Department of the Treasury pursuant to 5 U.S.C. 5516, 5517, or 5520, or, in the absence thereof, in response to a written request from an appropriate official of the taxing jurisdiction to the Executive Officer, Inter-American Foundation, 1515 Wilson Blvd., Rosslyn, Va. 22209. The request must include a copy of the applicable statute or ordinance authorizing the taxation of compensation and should indicate whether the authority of the jurisdiction to tax the employee is based on place of residence, place of employment, or both.

(c)Pursuant to a withholding agreement between a city and the Department of the Treasury (5 U.S.C. 5520), copies of executed city tax withholding certificates shall be furnished the city in response tax withholding certificates shall be furnished the city in response to written request from an appropriate city official to the Executive Officer.

In the absence of a withholding agreement, the Social Security Number will be furnished only to a taxing jurisdiction which has furnished this agency with evidence of its independent authority to compel disclosure of the Social Security Number, in accordance with Section 7 of the Privacy Act, Pub. L. 93-579.

(d) It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(1) The agency, or any component thereof;

(2) Any employee of the agency in his or her official capacity; or

(3) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(4) The United States, where the agency determines that litigation is likely to affect the agency or any of its components.

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

(e) It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(1) The agency, or any component thereof; or

(2) Any employee of the agency in his or her capacity; or

(3) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(4) The United States, where the agency determines that litigation is likely to affect the agency or any of its components.

is a party or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microfilm.

Retrievability: Social Security Number.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GAS Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Accountant, Administration and Finance, Inter-American Foundation, 1515 Wilson Blvd., Rosslyn, VA. 22209.

Notification procedure: Refer to IAF access regulations contained in 22 CFR Part 1003.

Record access procedures: Refer to IAF access regulations contained in 22 CFR Part 1003.

Contesting record procedures: Refer to IAF access regulations contained in 22 CFR Part 1003.

Record source categories: The subject individual: the Inter-American Foundation.

APPENDIX—INTER-AMERICAN FOUNDATION

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of federal personnel management.

A record from this system of records may be disclosed to officers and employees of a federal agency for purposes of audit.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as a set forth in that Circular.

A record from this system of records may be disclosed as a routine use to a Member of Congress or to a Congressional staff member in response to an inquiry of the Congressional staff member in response to an inquiry of the Congressional office made at the request of the individual about whom the record is maintained.

A record from this system of records may be disclosed to officers and employees of the General Services Administration in connection with administrative services provided to this agency under agreement with GSA.

Title 22-Foreign Relations

Chapter X-Inter-American Foundation

PART 1003—RULES SAFEGUARDING PERSONAL INFORMATION IN IAF RECORDS

Sec.

1003.1 General policies, conditions of disclosure, accounting of certain disclosures, and definitions.
1003.2 Definitions.
1003.3 Access to records.
1003.4 Inter-American Foundation system of records requirements.
1003.5 Access to personal information from Inter-American Foundation records.
1003.6 Administrative review.
1003.7 Judicial review.
1003.8 Exemptions.
1003.9 Mailing.
1003.10 Reports.

Authority: 5U.S.C. 552a.

Source:41 FR 19211, May 11, 1976, unless otherwise noted.

§ 1003.1 General policies, contitions of disclosure, accounting of certain disclosures, and definitions.

(a) The Inter-American Foundation will safeguard an individual against an invasion of personal privacy. Except as otherwise provided by law or regulations it officials and employees will:

(1) Permit an individual to determine what records pertaining to him or her will be collected, maintained, used, or disseminated by the Inter-American Foundation.

(2) Permit an individual to prevent records pertaining to him or her, obtained by the Inter-American Foundation for a particular purpose, from being used or made available for another purpose without his or her consent.

(3) Permit an individual to gain access to information pertaining to him or her in the Inter-American Foundation records, to have a copy made of all or any portion thereof, and to correct or amend such records.

(4) Collect, maintain, use or disseminate any record of identifiable personal information in a manner that assures that such action is for a necessary and lawful purpose, that the information is correct and accurate for its intended use, and that adequate safeguards are provided to prevent misuse of such information.

(5) Permit exemptions from records requirements provided in 5 U.S.C. 552a only where an important public policy need for such exemption has been determined pursuant to specific statutory authority.

(b) The Inter-American Foundation will not disclose any record contained in a system of records by any means of communication to any person or any other agency except by written request of or prior written consent of the individual to whom the record pertains unless such disclosure is:

(1) To those officers and employees of the agency which maintains the record and who have a need for the record in the performance of their duties;

(2) Required under 5 U.S.C. 552;

(3) For a routine use of the record compatible with the purpose for which it was collected;

(4) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to Title 13, United States Code;

(5) To a recipient who has provided the Inter-American Foundation with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the U.S. Government, or for evaluation by the Administrator of General Services or designee to determine whether the record has such value;

(7) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authority by law, and if the head of the agency or instrumentality has made a written request to the Inter-American foundation specifying the particular portion desired and the law enforcement activity for which the record is sought;

(8) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

(9) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(10) To the Comptroller General, or any authorized representatives in the course of the performance of the duties of the General Accounting Office; or

(11) Pursuant to the order of a court of competent jurisdiction.

(c) With respect to each system of records (i.e., a group of records from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual) under Inter-American foundation control the Inter-American Foundation will (except for disclosures made under paragraph (b) (1) or (2) of this section) keep an accurate accounting as follows:

(1) For each disclosure of a record to any person or to another agency made under paragraph (b) of this section, maintain information consisting of the date, nature, and purpose of each disclosure, and the name and address of the person or agency to whom the disclosure is made;

(2) Retain the accounting made under paragraph (c)(1) of this section for at least 5 years or the life of the record, whichever is longer, after the disclosures for which the accounting is made;

(3) Except for disclosures made under paragraph (b)(7) of this section, make the accounting under paragraph (c)(1) of this section available to the individual named in the record at his or her request; and

(4) Inform any person or other agency about any correction or notation of dispute made by the agency of any record that has been disclosed to the person or agency if an accounting of the disclosure was made.

(d) The parent of any minor, or the legal guardian of any individual who has been declared incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, may act on behalf of the individual.

(e) Section 552a(e), Title 5, United States Code, provided that:

(1) Any officer or employee of the Inter-American Foundation, who by virtue of his or her employment or official position, has possession of, or access to, Inter-American Foundation records which contain individually identifiable information the disclosure of which is prohibited by 5 U.S.C. 552a and who knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, shall be guilty of a misdemeanor and fined not more than 5,000.

(2) Any officer or employee of the Inter-American Foundation who willfully maintains a system of records without meeting the notice requirements of 5 U.S.C. 552a(e)(4) shall be guilty of a misdemeanor and fined not more than 5,000.

(3) Any person who knowingly and willfully requests or obtains any record concerning an individual from the Inter-American Foundation under false pretenses shall be guilty of a misdemeanor and fined not more than

5,000.

§ 1003.2 Definitions.

The following definitions apply:

(a) The term "agency" includes any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the government (including the Executive Office of the President), or any independent regulatory agency.

(b) The term "individual" means a citizen of the United states or an alien lawfully admitted for permanent residence.

(c) The term "maintain" includes maintain, collect, use, or disseminate.

(d) The term "record" means any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his or her educational, financial transactions, medical history, and criminal or employment history and that contains his or her name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph.

(e) The term "system of records" means a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

(f) The term "statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual except as provided by section 8 of Title 13, United States Code.

(g) The term "routine use" means, with respect to the disclosure or a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

§ 1003.3 Access to records.

(a) Except as otherwise provided by law or regulation any individual upon request may gain access to his or her record or to any information pertaining to him or her which is contained in any system or records maintained by the Inter-American Foundation. The individual will be permitted, and upon his or her request, a person of his or her own choosing permitted to accompany him or her, to review the record and have a copy made of all or any portion thereof in a form comprehensible to him or her. The Inter-American foundation will require, however, a written statement from the individual authorizing discussion of that individual's record in the accompanying person's presence.

(b) Any individual may request amendment of any Inter-American Foundation record pertaining to him or her. Not later than 10 days (excluding Saturdays, Sundays, and legal public holidays) after the date of receipt of such request, the Inter-American Foundation will acknowledge in writing such receipt. The Inter-American Foundation will also promptly either:

(1) Correct any part thereof which the individual believes is not accurate, relevant, timely, or complete; or

(2) Inform the individual of the Inter-American Foundation's refusal to amend the record in accordance with his or her request, the reason for the refusal, the procedures by which the individual may request a review of that refusal by the Administrator or designee, and the name and address of such official.

(c) Any individual who disagrees with the Inter-American Foundation's refusal to amend his or her record may request a review of such refusal. The Inter-American Foundation will complete such review not later than 30 days (excluding Saturdays, Sundays, and legal public holidays) from the date on which the individual requests such review and make a final determination unless, for good cause shown, the Administrator extends such 30-day period. If, after review, the Administrator or designee also refuses to amend the record in accordance with the request the individual will be advised of the right to file with the Inter-American Foundation a concise statement setting forth the reasons for his or her disagreement with the Inter-American Foundation's refusal, and also advised of the provisions for judicial review of the reviewing official's determination (5 U.S.C. 552a(g)(1)(A)).

(d) In any disclosure, containing information about which the individual has filed a statement of disagreement, occurring after the filing of the statement under paragraph (c) of this section, the Inter-American Foundation will clearly note any part of the record which is disputed and provide copies of the statement (and, if the Inter-American Foundation deems it appropriate, copies also of a concise statement of the Inter-American Foundation's reasons for not making the amendments requested) to persons or other agencies to whom the disputed record has been disclosed.

(e) Nothing in 5 U.S.C. 552a, however, allows an individual access to any information compiled in reasonable anticipation of a civil action or proceeding.

[41 FR 19211, May 11, 1976, as amended at 42 FR 37368, July 21, 1977]

§ 1003.4 Inter-American Foundation system of records requirements.

(a) The Inter-American Foundation will maintain in its records any such information about an individual as is relevant and necessary to accomplish a purpose of the Inter-American Foundation required to be accomplished by statute or Executive Order of the President.

(b) The Inter-American Foundation will collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privileges under Federal programs.

(c) The Inter-American Foundation will inform each individual whom it asks to supply information, on the form which it uses to collect the information or on a separate form that can be retained by the individual of:

(1) The authority (whether granted by statute or Executive order of the President) which authorizes the solicitation of the information and whether disclosure of such information is mandatory or voluntary;

(2) The principal purpose or purposes for which the information is intended to be used;

(3) The routine uses which may be made of the information, as published pursuant to paragraph (d)(4) of this section; and

(4) The effects on him or her, if any, of not providing all or any part of the requested information.

(d) Subject to the provisions of paragraph (k) of this section, the Inter-American Foundation will publish in the **Federal Register** at least annually a notice of the existence and character of its system of records. This notice will include:

(1) The name and location of the system or systems;

(2) The categories of individuals on whom records are maintained in the system or systems;

(3) The categories of records maintained in the system or systems;

(4) Each routine use of the records contained in the system or systems, including the categories of users and the purpose of such use;

(5) The policies and practices of the Inter-American Foundation regarding storage, retrievability, access controls, retention, and disposal of the records;

(6) The title and business address of the Inter-American Foundation official or officials responsible for the system or systems of records;

(7) The Inter-American Foundation procedures whereby an individual can be notified at his or her request if the system or systems of records contain a record pertaining to him or her;

(8) The Inter-American Foundation procedures whereby an individual can be notified at his or her request how he or she can gain access to any record pertaining to him or her contained in the system or systems of records, and how he or she can contest its content; and

(9) The categories of sources of records in the system or systems.

(e) All records used by the Inter-American Foundation in making any determination about any individual will be maintained with the accuracy, relevance, timeliness, and completeness reasonably necessary to assure fairness to the individual in the determination.

(f) Before disseminating any record about any individual to any person other than an agency the Inter-American Foundation will make reasonable efforts to assure that such records are accurate, complete, timely, and relevant for Inter-American Foundation purposes unless the dissemination is required pursuant to 5 U.S.C. 552.

(g) The Inter-American Foundation will maintain no record describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity.

(h) The Inter-American Foundation will make reasonable efforts to serve notice on an individual when any record on such individuals is made available to any person under compulsory legal process when such process becomes a matter of public record.

(i) The Inter-American Foundation will establish rules of conduct for persons involved in the design, development, operation, or maintenance of any system of records, or in maintaining any record. Each such person will be instructed regarding such rules and the requirements of 5 U.S.C. 552a. The instruction will include any other rules and procedures adopted pursuant to 5 U.S.C. 552a, and the penalties it provides for noncompliance.

(j) The Inter-American Foundation will establish appropriate administrative, technical, and physical safeguards to insure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom information is maintained.

(k) At least 30 days prior to the publication of a notice in the **Federal Register** at least annually regarding the routine use of the records contained in the Inter-American Foundation system or systems of records including the categories of users and the purpose of such use, pursuant to paragraph (d)(4) of this section, the Inter-American Foundation will also:

(1) Publish a notice in the **Federal Register** of any new use or intended use of the information in the system or systems; and

(2) Provide an opportunity for interested persons to submit written data, views, or arguments to the Inter-American Foundation.

§ 1003.5 Access to personal information from Inter-American Foundation records.

(a) The Inter-American Foundation will promulgate regulations, as necessary, to insure compliance with the provisions of 5 U.S.C. 552a, developed in accordance with the provisions of 5 U.S.C. 553, as applicable.

(b) Any individual will be notified upon request if any Inter-American Foundation system of records named contains a record pertaining to him or her. Such request must be in writing over the signature of the requester. The request must contain a reasonable description of the Inter-American Foundation system or systems of records meant, as described at least annually by notice published in the **Federal Register** describing the existence and character of the Inter-American Foundation's system or systems of records. The request should be made to the Executive Officer, Inter-American Foundation, 1515 Wilson Boulevard, Rosslyn, Virginia 22209. Personal contacts should normally be made during the regular duty hours of the office concerned, which are 8:30 a.m. to 4:00 p.m. Monday through Friday. Identification of the individual requesting the information will be required consisting of name, signature, address, and claim, insurance or other identifying file number, if any, as a minimum.

(c) The department or staff office having jurisdiction over the records involved will establish appropriate disclosure procedures and will notify the individual requesting disclosure of his or her record or information pertaining to him or her of the time, place and conditions under which the Inter-American Foundation will comply to the extent permitted by law and Inter-American Foundation regulation. Special procedures will be established by the department or staff office concerned governing the disclosure to an individual of medical records, including psychological records pertaining to him or her.

(d) The department or staff office having jurisdiction over the records involved will also establish procedures for reviewing a request from an individual concerning the amendment of any record or information pertaining to the individual for making a determination on the request, for an appeal within the Inter-American Foundation of an initial adverse Inter-American Foundation determination, and for whatever additional means may be necessary for each individual to be able to exercise fully his or her rights under 5 U.S.C. 552a.

(e) Fees to be charged, if any, to any individual for making copies of his or her record, excluding the cost of any search for and review of the record, will be as follows:

(1) Photocopy reproductions from all types of copying processes, each reproduction image.
0.05.

(2) Where the Inter-American Foundation undertakes to perform for a requester or for any other person services which are very clearly not required to be performed under section 552a, Title 5, United States Code, either voluntarily or because such services are required by some other law (e.g., the formal certification of records as true copies, attestation under the seal of the Inter-American Foundation, etc.), the question of charging fees for such services will be determined by the official or designee authorized to release the information under § 1.556, in the light of the Federal user charge statute, 31 U.S.C. 483a, and any other applicable law.

§ 1003.6 Administrative review.

(a) Upon denial of a request, the responsible Inter-American Foundation official or designated employee will inform the requester in writing of the denial, cite the reason or reasons and the Inter-American Foundation regulations upon which the denial is based, and advise that the denial may be appealed to the Administrator.

(b) The final agency decision in such appeals will be made by the Administrator or Deputy Administrator.

§ 1003.7 Judicial review.

Any person may file a complaint against the Inter-American Foundation in the appropriate U.S. district court, as provided in 5 U.S.C. 552a(g), whenever the Inter-American Foundation:

(a) Makes a determination not to amend an individual's record in accordance with his or her request, or fails to make such review in conformity with that section;

(b) Refuses to comply with an individual request;

(c) Fails to maintain any record concerning any individual with such accuracy, relevance, timeliness, and completeness as is necessary to assure fairness in any determination relating to the qualifications, character, rights, or opportunities of, or benefits to the individual that may be made on the basis of such record, and consequently a determination is made which is adverse to the individual; or

(d) Fails to comply under any other provision of 5 U.S.C. 552a, or any Inter-American Foundation regulation promulgated thereunder, in such a way as to have an adverse effect on an individual.

§ 1003.8 Exemptions.

No Inter-American Foundation records system or systems as such are exempted from the provisions of 5 U.S.C. 552a as permitted under certain conditions by 5 U.S.C. 552a (j) and (k).

§ 1003.9 Mailing lists.

An individual's name and address may not be sold or rented by the Inter-American Foundation unless such action is specifically authorized by law. This section does not require the withholding of names and addresses otherwise permitted to be made public.

§ 1003.10 Reports.

(a) The Administrator or designee will provide adequate advance notice to Congress and the Office of Management and Budget of any proposal to establish or alter any Inter-American Foundation system or systems of records, as required by 5 U.S.C. 552a(o). This will permit an evaluation of the probable or potential effect of such proposal on the privacy and other personal or property rights of individuals or the disclosure of information relating to such individuals, and its effect on the preservation of the constitutional principles of federalism and separation of powers.

(b) If at any time an Inter-American Foundation system or systems of records is determined to be exempt from the application of 5 U.S.C. 552a in accordance with the provisions of 5 U.S.C. 552a (j) and (k), the number of records contained in such system or systems will be separately listed and reported to the Office of Management and Budget in accordance with the then prevailing guidelines and instructions of that agency.

INTERNATIONAL BOUNDARY AND WATER COMMISSION—U.S. AND MEXICO

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IBWC/US SEC.-1

System name: Attendance, Leave, and Payroll Records of Employees.

System location: Room 229, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section.

Categories of records in the system: Name, Social Security Number and employee number, grade, step, and salary; organization (code), retirement or FICA data as applicable; Federal, State and local tax deductions, as appropriate; Internal Revenue Service tax lien data; savings bond and charitable deductions; regular and optional government life insurance deduction(s), health insurance deduction and plan or code; cash award data; jury duty data; military leave data; pay differentials; union dues deductions; allotments, by type and amount; financial institution code and employee account number; leave status and leave data of all types (including annual, compensatory, jury duty, maternity, military, retirement disability, sick, transferred, and without pay); time and attendance records, including number of regular, overtime, holiday, Sunday, and other hours worked; pay period number and ending date; cost-of-living allowances; mailing address; co-owner and/or beneficiary of bonds, marital status and number of dependents; and "Notification of Personnel Action". The individual records listed herein are included only as pertinent or applicable to the individual employee.

Authority for maintenance of the system: Budget and Accounting Act of 1921; Budget and Accounting Procedures Act of 1950; and 31 U.S.C. 665.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Transmittal of data to United States Treasury to effect issuance of paychecks to employees and distribution of pay according to employee directions for savings bonds, allotments, financial institutions, and other authorized purposes.

Reporting: Tax withholding to Internal Revenue Service and appropriate State and local authorities; FICA deductions to the Social Security Administration; dues deductions to labor unions; withholdings for health insurance to the insurance carriers and the United States Civil Service Commission; charity contribution deductions to agents of charitable institutions; annual W-2 statements to taxing authorities and the individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual and machine-readable copy.

Retrievability: By name and/or employee number.

Safeguards: Physical, technical, and administrative security is maintained, with all storage equipment and/or rooms locked when not in use. Admittance when open is restricted to authorized personnel only. All payroll personnel and computer operators and programmers are instructed and cautioned on the confidentiality of the records.

Retention and disposal: Cut off at the end of a calendar year; retained for 3 years or until after General Accounting Office audit, whichever is earlier; and then destroyed in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Request from individuals should be addressed to the FOIA Administrator, same address as stated in the Notification Section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individuals concerned appear in the Section's rules and published in the Federal Register(42 FR 48291).

Record source categories: Subject individuals, supervisors, timekeepers, official personnel records, and Internal Revenue Service.

IBWC/US SEC.-2

System name: Accounts Receivable.

System location: Room 229, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Persons owing money to the United States Section, including employees, former employees, business firms, general public, and institutions.

Categories of records in the system: Names and addresses; amounts owed and services performed, overpayment or other accounting therefor; invoice numbers, if any; and United States Treasury certificates of deposit numbers.

Authority for maintenance of the system: Budget and Accounting Act of 1921; Budget and Accounting Procedures Act of 1950; and 31 U.S.C. 665.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For billing purposes to obtain funds due the Section.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual and machine-readable copy.

Retrievability: By name and invoice number, as appropriate.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Retained until payment is received and account audited, then disposed of in accordance with standard procedures.

System manager(s) and address: Chief Financial Services, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the Notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (42 FR 48291).

Record source categories: Subject individual; Procurement Section; and accounting records.

IBWC/US SEC.-3

System name: Confidential Statements of Employment and Financial Interests.

System location: Room 229, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Employees paid at a level of the Executive Schedule in subchapter II of 5 U.S.C. 53, and Section employees who are required by Executive Order 11222 to file such statements, including former employees.

Categories of records in the system: Statements of personal and family holdings and other interests in business enterprises; listing of creditors, outside employment and opinion of reviewing official; and any confirmation material.

Authority for maintenance of the system: Executive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To comply with United States Civil Service Commission Regulations (Federal Personnel Manual Chapter 735) records from an effective system of review for disclosing conflicts or apparent conflicts of interest on the part of employees, records from this system may be forwarded to the United States Civil Service Commission when requested. Information may not be disclosed from a statement other than to designated employees who have an official need, except as the Chairman of the United States Civil Service Commission, or the Commissioner of the Section, may determine for a good cause shown.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in sealed envelopes.

Retrievability: Filed by name alphabetically.

Safeguards: Records are located in a locked box in a combination safe-metal file cabinet in a secured room, with access limited under very controlled conditions to those individuals whose official duties require access.

Retention and disposal: The records are disposed of 2 years after separation of the employee, in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the Notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Record source categories: Employees on whom records are required to be maintained.

IBWC/US SEC.-4

System name: Individual Identification Cards.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Key employees of the two Sections of the International Boundary and Water Commission, whose duties necessitate travel across the border between the two countries in conduct of the Sections' business affairs.

Categories of records in the system: Names, titles, nationalities, places of birth, physical descriptions (color of hair, eyes, and height, etc.), and photographs.

Authority for maintenance of the system: 1944 Water Treaty; 5 U.S.C. 301, and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For the identification of key employees of the two Sections of the International Boundary and Water Commission, whose duties necessitate travel across the border between the two countries in conduct of the Sections' business affairs.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Index card records.

Retrievability: Filed by name-alphabetically.

Safeguards: Records are located in metal card-file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Retained for 6 years after cancellation, and then destroyed in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the Notification Section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (42 FR 48291).

Record source categories: Individuals to whom identification cards pertain.

IBWC/US SEC.-5

System name: Certificates of Medical Examination.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section.

Categories of records in the system: Medical certificates (SF-78* or equivalent) and any other medical records of examinations used to determine and employee's fitness for the job, and may include employee's name, date of birth, and Social Security Number. (* Parts D, E, and F of SF-78 are not considered a medical record, and are filed in the Official Personnel Folder.)

Authority for maintenance of the system: 5 U.S.C. 3301, 3302; and Executive Order 10577.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To determine medical eligibility for appointment, and for changes in assignment within the Section.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed by name alphabetically.

Safeguards: Records are located in lockable metal file cabinets in secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Upon employee's transfer to another agency or separation from Federal service, the sealed envelope with medical records attached on the right side of the Official Personnel Folder will be forwarded to National Personnel Records Center (Civilian), 111 Winnebago Street, St. Louis, Missouri 63118, within thirty (30) days after separation from Federal service, or to the agency to which the employee is transferring within thirty (30) days from such transfer. In the case of disability retirements, medical information is obtained and forwarded to the United States Civil Service Commission's Medical Officer in the El Paso, Texas area.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the Notification Section above. Information may be released upon receipt of a subpoena, or to a nonfederal entity or person, upon written authorization from employee, and the extent of the information will be in accordance with United States Civil Service commission Regulations (Federal Personnel Manual Chapter 339).

Contesting record procedures: Rules for access to records for contesting contends and appealing initial determinations by the indivisual concerned, as published in the Section's rules in the Federal Register (42 FR 48291), are in accordance with United States Civil Service Commission Regulations (Federal Personnel Manual Chapter 339).

Record source categories: Individual's physician or Section's designated physician covering individuals to whom the records pertain.

Systems exempted from certain provisions of the act: Subject system from Pub. L. 93-579, 552a, Sec. 3.(k)(6), unless approvd for release by the Regional Medical Officer of the United States Civil Service Commission. Information will be given to the employee if determined by the Regional Medical Officer that the material is not considered detrimental to the employee's well-being. Medical information may also be released to a licensed physician designated in writing for that purpose by the individual to whom the information pertains, or to his or her designated representative.

IBWC/US SEC.-6

System name: Equal Employment Opportunity.

System location: Room 227, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Employees or applicants for employment who have filed complaints of discrimination against the Section.

Categories of records in the system: Affidavits concerning the complaint; correspondence and written documentation related to the complaint; and copies of personnel records and information covering how the complaint was resolved.

Authority for maintenance of the system: Executive Order 11478; Pub. L. 92-261; and Pub. L. 93-259.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To maintain records of discrimination complaints filed by employees or applicants for employment with the Section, and all documentation and information pertaining thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed by name alphabetically.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Records are retained for 7 years after close of the matter, and then destroyed in accordance with standard procedures.

System manager(s) and address: Director, Equal Employment Opportunity, United States Section, International Boundary and Water Commission, Room 227, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Bulding, 4110 Rio Bravo El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules published in the Federal Register (42 FR 48291).

Record source categories: From employees of, or applicants for employment with, the Section involved as complainants, witnesses, etc., in discrimination complaints; reports of investigations, and other materials prepared by the Equal Employment Opportunity Director, Equal Employment Opportunity Assistant, counselors, coordinators, and investigators; copies of Section documents relevant to any Equal Employment Opportunity investigations; and records of hearings on complaints.

IBWC/US SEC.-7

System name: Occupational Health and Injury Files.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section who have sustained injuries or have other occupational health problems.

Categories of records in the system: Accident reports (CA-1 and CA-2); claims for compensation for injury or occupational disease (CA-4); claims for continuance of compensation on account of disability (CA-8); logs of employees receiving medical services or who have sustained a work-related injury or disease; health and medical records, including medical reports on the compensation forms or in response to medical treatment and examination; and related correspondence.

Authority for maintenance of the system: 5 U.S.C. 81; 5 U.S.C. 7153; 5 U.S.C. 7901; The Occupational Safety and Health Act of 1970; and Executive Order 11807.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide information, including statistical data, required by the Occupational Safety and Health Administration, Department of Labor, and Office of Workers's Compensation Programs, Department of Labor.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed by name alphabetically.

Safeguards: Records are located in a lockable metal file cabinet in a secured area, with access limited to those individuals whose official duties require access.

Retention and disposal: Files are maintained indefinitely while individual is in employ of the Section. Upon separation, records are retained for 5 years and then destroyed in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Official records are maintained by the Office of Workers' Compensation Programs (OWCP), New Orleans, Louisiana, or other district offices of the OWCP, and records contested must be filed with that agency under its contesting procedures. Information and address may be obtained from the Comptroller, address as noted under notification section above.

Record source categories: From employees who have suffered a work-related illness or injury; Section supervisory personnel; medical authorities treating or examining employee; and witnesses to an accident or occurrence giving rise to a claim.

Systems exempted from certain provisions of the act: Pub. L. 93-579, 552a, Sec. 3. (k)(1) and (4). Records maintained under this system are unofficial copies of OWCP records and are maintained to assist in processing compensation claims. Persons seeking information under this system should follow the directions given in the notification procedure above. Information will be given to supervisors and to the employee covered by the record if the material is not considered detrimental to the employee's well-being. Requests for information which appear detrimental will be referred to the OWCP for opinion prior to release.

IBSE/US SEC.-8

System name: Motor Vehicle Operator Records.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section who are seeking or holding a United States Government Motor Vehicle Operator's Identification Card.

Categories of records in the system: Applications for Government driver's licenses, Social Security Numbers, physical fitness statements, driving violation records, road test results, and pertinent correspondence.

Authority for maintenance of the system: Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471, et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide the Section with information necessary and relevant to the accomplishment of its functions covering motor vehicle operators; and to request information from State and local police departments to determine an employee's eligibility for a Government license.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed by name alphabetically.

Safeguards: Records are located in lockable metal file cabinets or in secured rooms or secured premises with access limited to those individuals whose official duties require access.

Retention and disposal: Retained 3 years after separation of employee or 3 years after rescission of authorization to operate a government-owned vehicle, whichever occurs earlier; then destroyed in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (42 FR 48291).

Record source categories: Individuals to whom records pertain, witnesses to driving violations, police and court records, and road test examiners.

IBWC/US SEC.-9

System name: Employees' Travel Records—Initial Appointment and/or Change of Duty Stations.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Employees and applicants selected for appointment in shortage category occupations.

Categories of records in the system: Names, addresses, estimated travel expenses, modes of travel, employment service agreements, and travel orders.

Authority for maintenance of the system: Budget and Accounting Act of 1921; Accounting and Auditing Act of 1950; and Federal Claims Collection Act of 1966.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To document authority for change of duty station travel and the payment of authorized travel expenses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual and machine-readable paper copy.

Retrievability: Filed in chronological order.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured premises with access limited to those individuals whose official duties require access.

Retention and disposal: Retained according to General Services Administration Federal Travel Regulations, and then disposed of and destroyed in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules published in the Federal Register (42 FR 48291).

Record source categories: Subject individual, supervisors, and Finance Office standard references.

IBWC/US SEC.-10

System name: Freedom of Information Act Requests for Records.

System location: Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Persons requesting copies of records from the United States Section under the provisions of the Freedom of Information Act, as amended.

Categories of records in the system: Names, addresses and telephone numbers of requesters; description or identification of records requested, furnished, and/or denied; dates of request and response; amount of fees paid, reduced, or waived, if any; payment delinquencies, if any; petitions of indigency; appeals of denials; final determinations; and names and titles of denying officials and determining officials.

Authority for maintenance of the system: Freedom of Information Act, as amended (Pub. L. 93-502).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For Annual Report to the Congress under section (d) of the Freedom of Information Act, as amended; and available for public inspection at all times.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Indexed chronologically by date received.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Approved requests and denied requests which do not result in appeals or litigation: Completed actions cut off at close of fiscal year and destroyed two years after cutoff in accordance with standard procedures. Denied requests resulting in appeals or litigation: Cut off at close of fiscal year in which final determination is made. Transferred to Federal Archives Records Center, Fort Worth, Texas, two years after cut off, and destroyed ten years after cutoff in accordance with standard procedures.

System manager(s) and address: FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (42 FR 48291).

Record source categories: Subject individuals, Section officers, and employees engaged in processing or making determinations with respect to Freedom of Information Act requests.

IBWC/US SEC.-11

System name: General Personnel Records.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902, or Field Office where individual is employed.

Categories of individuals covered by the system: Current employees of the United States Section.

Categories of records in the system: General correspondence and files relating to employment or conditions of employment; promotion, Notification of Personnel Action (SF-50), and Request for Personnel Action (SF-52) files; leave and training records; Central Personnel Data File (CPDF), and retirement records relating to personnel actions and determinations concerning an individual while employed. These records may contain information about an individual relating to name; date of birth; home address; telephone number; emergency addresses; Social Security Number; Veteran's Preference; tenure; work connected injuries; handicap code; employment history; qualification background; past and present salaries; grades and position titles; training; awards and other recognition; counseling; performance appraisal; conduct; pay and leave; and data documenting reasons for personnel actions; decisions or recommendations concerning an employee; and background data and documentation leading to an adverse action being taken against an employee.

Authority for maintenance of the system: 5 U.S.C. 1302, 2951, 4118, 4308, 4506, 7501, 7511, 7521; and Executive Order 10561.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

(A) By an agency of the Federal government having oversight or review authority, such as the United States Civil Service Commission.

(B) In the event an appeal is made outside the Section, records which are relevant may be referred to the appropriate agency charged with rendering a decision on the appeal.

(C) Information, without prior employee consent, can be disclosed as follows:

1. To the Public: Employee name; position title/grade (past/present); salary (past/present); and duty station (past/present—as specific as building/room number).

2. To a prospective Federal employer: All items on Request for Preliminary Employment Data (SF-75).

3. To a prospective nonfederal employer: Employee name; position title/grade (past/present); salary (past/present); duty station (past/present); tenure of employment; Civil Service status; length of service (Section/Federal government); and date/reason for separation (from Notification of Personnel Action SF-50).

4. To a police department/court: Any information requested for law enforcement purposes.

5. To a credit firm:

(a) May be provided: Employee name; position title/grade (past/present); salary (past/present); duty station (past/present).

(b) May only be verified (the firm may be advised if its information is correct; if not correct, it is not permitted to disclose the "right answer"): Tenure of employment; Civil Service status; and length of service (Section/Federal government).

Any other disclosure requires prior written consent.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, index cards, and computer printouts.

Retrievability: Records are indexed by any combination of name, date of birth, Social Security Number, or employee identification number.

Safeguards: Records are located in locked metal file cabinets or in metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Retained during the period of individual's employment with the Section; transferred to individual's Official Personnel Folder upon resignation, transfer or separation from Section service.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned, appear in the Section's rules as published in the Federal Register (42 FR 48291).

Record source categories: From information supplied by applicable individuals, or as provided by applicable Section supervisors.

IBWC/US SEC.-12

System name: Investigative Records.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Current employees of the United States Section.

Categories of records in the system: Name, address, date and place of birth; citizenship status; physical characteristics; employment and military service history; arrest records; Federally-employed relatives; dates and purposes of visits to foreign countries; passport numbers; names of spouses, relatives, and personal associates; activities; and conflicts of interest, security, and suitability material.

Authority for maintenance of the system: Executive Orders 10450 and 11652.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To determine suitability for Federal employment.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed by employee name alphabetically.

Safeguards: Records are located in lockable metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: The records consist of confidential background investigations for Section employees, and are filed in manila envelopes attached on the outside of the Official Personnel Folder, the envelopes bearing employee name and Social Security Number. When the employee transfers or separates, these records are placed in the Official Personnel Folder and disposed of as part of such Official Personnel Folder.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the Notification Section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules published in the Federal Register (42 FR 48291).

Record source categories: Applications and other personnel and security forms furnished by the individual; investigative and other record material furnished by other Federal agencies; notices of personnel actions furnished by other Federal agencies; personal investigations or written inquiries from sources such as employers, educational institutions, references, neighbors, associates, police departments, courts, credit bureaus, medical records, probation officials, prison officials, newspapers, magazines, periodicals, and other publications; and published hearings of Congressional Committees.

Systems exempted from certain provisions of the act: Certain records contained within this system of records are exempt from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f). Reference Section's rules published in the Federal Register (42 FR 48291).

IBWC/US SEC.-13

System name: Employees; Vehicle Accident Reports.

System location: Room 229, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section.

Categories of records in the system: Full names and addresses of persons involved and their individual statements; vehicle tag number; service and repairs required; invoice number; cost code; and applicable appropriation symbol.

Authority for maintenance of the system: Federal Property and Administrative Services Act of 1941, as amended (40 U.S.C.471, et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For Finance Section employees to complete billing procedures.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By employee name, date of accident, and invoice number.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Retain on hand 3 fiscal years, and then dispose of and destroy in accordance with standard procedures.

System manager(s) and address: FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules published in the Federal Register (42 FR 48291).

Record source categories: From subject individual, supervisors and/or Finance Section's standard references.

IBWC/US SEC.-14

System name: Records of Cash Receipts.

System location: Room 229, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Individuals and companies making payments to cover goods acquired and services rendered; reimbursements for overpayments; and miscellaneous monies received by the Section.

Categories of records in the system: Names of individuals or companies; goods acquired or services rendered; amounts, dates; check numbers; locations; bank deposit information; and United States Treasury deposit numbers.

Authority for maintenance of the system: Budget and Accounting Act of 1921; Budget and Accounting Procedures act of 1950; and 31 U.S.C. 665.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Accounting for all monies received by the Section.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual and machine-readable paper copy.

Retrievability: By name and/or account or invoice number.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Retained for one year following the end of the fiscal year; then transferred to Federal Archives Records Center, Fort Worth, Texas.

System manager(s) and address: Chief Financial Services, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the Notification Section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (42 FR 48291).

Record source categories: Subject individual and/or company.

IBWC/US SEC.-15

System name: Disciplinary Action, Appeal, and Grievance Files; and Unfair Labor Practice Charges/Complaints.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Section employees who have had disciplinary actions taken against them, and who have filed appeals or grievances.

Categories of records in the system: Warning letters and official reprimand files; grievance files (Section or negotiated); adverse action decision letters; disciplinary action files; appeals hearing transcripts (if held); background information in support of disciplinary and adverse actions; and unfair labor practice charges/complaints.

Authority for maintenance of the system: Executive Orders 10987, 11491, 11787; and 5 U.S.C. 77.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(a) To the United States Civil Service Commission upon request in conjunction with any appeal or in conjunction with its official duties pertaining to personnel matters and investigations regarding complaints of Federal employees or applicants for employment.

(b) To designated officers and employees of other Federal agencies conducting investigations of an individual for the purpose of granting security clearance or access determination, and having a need to evaluate qualifications, suitability and loyalty to the United States Government in connection with employment.

(c) In the event of any indication of violation or potential violation of the law, to the appropriate Federal agency charged with the responsibility of investigating or prosecuting such violation, or charged with enforcement or implementation of the statute, rule, regulation or order issued pursuant thereto.

(d) To respond to a court subpoena or response to a district court in connection with a civil suit.

(e) To designated hearing examiners, arbitrators, and third-party appellate authorities involved in the hearing or appeal processes.

(f) To investigate officials of the Department of Labor and Federal Labor Relations Council for settlement of a complaint or appeal.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By employee name, filed alphabetically.

Safeguards: Records are located in lockable metal file cabinets in secured rooms or secured premises, with access limited to individuals whose official duties require access.

Retention and disposal: Records involving court actions are retained permanently; all others retained 7 years after completion of action, and then disposed of in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (42 FR 48291).

Record source categories: Individuals to whom records pertain; Section officials; affidavits or statements from employees; testimony of witnesses; official documents relating to appeals, grievances, or complaints; and correspondence from specific organizations or individuals.

IBWC/US SEC.-16

System name: Official Personnel Folders.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section.

Categories of records in the system: Official Personnel Folders containing name, Social Security Number; date of birth; employment history; education; job and pay data; performance reviews; letters of commendation; reprimands; training certificates; salary and benefits information, to include allowance and insurance data; travel orders and general correspondence; other personnel data such as security clearance, loyalty, military service evidence, injury reports, suggestions, health qualification records, etc.

Authority for maintenance of the system: Executive Order 10561; and United States Civil Service Commission Regulations (Federal Personnel Manual Chapters 293 and 294).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(A) To provide hard-copy documentation on employees' current job and pay data, past job history, career progression, etc. Used to determine qualifications and to provide information for processing personnel actions.

(B) Information, without prior employee consent, can be disclosed as follows:

1. To the public: Employee name; position title/grade (past/present); salary (past/present); and duty station (past/present—as specific as building/room number).

2. To a prospective Federal employer: All items on Request for Preliminary Employment Data (SF-75).

3. To a prospective nonfederal employer: Employee name; position title/grade (past/present); salary (past/present); duty station (past/

present); tenure of employment; Civil Service status; length of service (Section/ Federal Government); and date/reason for separation (from notification of Personnel Action SF-50).

4. To a police department/court: Any information requested for law enforcement purposes.

5. To a credit firm:

(a) May be provided: Employee name; position title/grade (past/present); salary (past/present); duty station (past/present).

(b) May only be verified (the firm may be advised if its information is correct; if not, it is not permitted to disclose the "right answer"): Tenure of employment; Civil Service status; and length of service (Section/Federal Government).

Any other disclosure requires prior written consent.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed by employee name—alphabetically.

Safeguards: Records are located in lockable metal file cabinets in secured rooms or secured premises, with access limited to individuals whose official duties require access.

Retention and disposal: Retained for duration of employment, and then folders are transmitted to the Personnel Records Center (Civilian) at 111 Winnebago Street, St. Louis, Missouri, 63118, within 30 days after separation—except for those employees leaving on military furlough, or with retirement applications pending, or compensation cases which are pending and which have not been adjudicated.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the Notification Section above, and conform to the inquiry provisions of the Sections's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (42 FR 48291).

Record source categories: Applications for employment; applications for fidelity bonds; college transcripts; personnel actions; performance reviews and/or personnel evaluation reports; letters of commendation or reprimand; training certificates; travel orders; employee insurance data; certificates of clearance; and loyalty affidavits.

IBWC/US SEC.-17

System name: Service Records.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section.

Categories of records in the system: Official summary of employment history to include name, Social Security Number, date of birth, service computation date, Veteran's Preference, life insurance enrollment, retirement data, handicap code, performance reviews (date and type), service award data, and employment record to include date, type, job, pay, and separation data.

Authority for maintenance of the system: United States Civil Service Commission Regulations (Federal Personnel Manual Chapter 293-31).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To have a ready reference to official summary of employment histories, chronology of personal and service data of employees, and provide information for processing personnel actions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records filed in Kardex or file box.

Retrievability: Arranged by (a) budgeted position in organization sequence; (b) pay plan; and (c) descending grade level within each pay plan.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those individuals whose official duties require access.

Retention and disposal: Retain 3 years after employee's separation from the Section, then dispose of in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the Notification Section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned, appear in the Section's rules as published in the Federal Register (42 FR 48291).

Record source categories: Personnel actions, performance reviews and/or personnel evaluation reports; application forms, and training and service award certificates.

IBWC/US SEC.-18

System name: Employment Resources Files.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Applicants for employment with the United States Section.

Categories of records in the system: Applications for employment; personal qualifications statement (SF-171); and other pertinent employment data.

Authority for maintenance of the system: 5 U.S.C. 301; 15 U.S.C. 634(b)(6); and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To maintain a source of qualified applicants for the purpose of filing vacancies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records files in file folders.

Retrievability: Grouped by positions for which applicants appear qualified; arranged by name within position groupings.

Safeguards: Records are located in lockable metal file cabinets or metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Applications considered active for 2 years; then destroyed after 2 years from date signed, in accordance with standard procedures—except upon written request that they be returned to individuals.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the Notification Section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned, appear in the Section's rules published in the Federal Register (42 FR 48291).

Record source categories: Applicants; previous employers.

IBWC/US SEC.-19

System name: Incentive Awards Files.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section, or non-employees who submit suggestions.

Categories of records in the system: Award certificates; letters of commendation, citation, and awards; letters of non-adoption of suggestions.

Authority for maintenance of the system: 5 U.S.C. 45.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To document staff or other agency comments in support of justification for, or disapproval of, award nominations in order to present findings to Incentive Awards Committee or other Section officials or, at its request, to the United States Civil Service Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Suggestions—by number; performance nominations—chronologically by type of award.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured room or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Cut off at end of calendar year, retained for 2 years, and then disposed of in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the notification section above, and conform to the inquired provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (42 FR 48291).

Record source categories: Employees, supervisors, management officials, Incentive Awards Committee, officials of other agencies, and members of the public, if appropriate.

IBWC/US SEC./20

System name: Travel Advance Information Files.

System location: Room 229, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section who are required to travel.

Categories of records in the system: Employees' names, areas of assignment, and dollar amounts advanced.

Authority for maintenance of the system: Budget and Accounting Act of 1921; Budget and Accounting Procedures Act of 1950; and 31 U.S.C. 665.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By the Finance Section to monitor travel advance expenditures.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Index card records.

Retrievability: Filed by employee name, alphabetically.

Safeguards: Records are located in metal card file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Cut off at end of fiscal year; retained for 3 years, and then destroyed in accordance with standard procedures.

System manager(s) and address: Chief Financial Services, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the Notification Section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned, appear in the Section's rules as published in the Federal Register (42 FR 48291).

Record source categories: From Imprest fund receipts signed by employee-traveler when amount is under

150.00, and from Bureau schedules for checks issued by the United States Treasury to employee-traveler when the amount is above 150.00.

IBWC/US SEC.-21

System name: Employer's Tax Return Files.

System location: Room 229, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section.

Categories of records in the system: Federal and State Monthly and/or quarterly employee withholding tax for information; computer printouts, magnetic tapes and related documents showing reports of federal and State taxes withheld from employees, and the banking and payment thereof.

Authority for maintenance of the system: Budget and Accounting Act of 1921; Budget and Accounting Procedures Act of 1950; and 31 U.S.C. 665.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For reconciliation and payment of taxes withheld from employees and employer's share; to provide Internal Revenue Service with record representing wages covered by Social Security.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual and machine-readable copy.

Retrievability: By name and/or employee number.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Cut off at the close of fiscal year, retained for 2 years, and then destroyed in accordance with standard procedures.

System manager(s) and address: Chief Financial Services, United States Section International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the Notification Section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned, appear in the Section's rules as published in the Federal Register (42 FR 48291).

Record source categories: Data stored in payroll master file.

IBWC/US SEC.-22

System name: Privacy Act Request File.

System location: IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Individuals requesting information on records concerning them or someone on whose behalf the individual is authorized to act which are in the custody of the United States Section, or individuals requesting access or amendment to such records under the provisions of The Privacy Act of 1974, 5 U.S.C. 552a.

Categories of records in the system: Copies of correspondence between individuals and Section custodian official; written summaries of conversations with individuals; coordination documents between the Section and other Federal, State, and local government agencies when records which are the subject of an individual inquiry were originated by another agency; and copies of documents which are the subject of an individual inquiry. Originals of amendment requests, refusals, and appeals accumulated by the custodian of the records concerned are included in the file containing those records.

Authority for maintenance of the system: The Privacy Act of 1974, 5 U.S.C. 552a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To process and coordinate requests for information, access, and amendment of personal records, to process and record appeals by individuals against Section rulings; and to assure timely response to requesters.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by requester's name.

Safeguards: Records are located in lockable metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Approved and/or denied requests not resulting in appeals or litigation—completed actions cut off at close of fiscal year and destroyed 2 years after cutoff in accordance with standard procedures. Denied requests resulting in appeals or litigation—cut off at close of fiscal year in which final determination is made; transferred to Federal Archives Record Center, Fort Worth, Texas, 2 years after cutoff; destroyed 10 years after cutoff in accordance with standard procedures.

System manager(s) and address: FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the FOIA Administrator, United States Section, International Boundary and Water Commission, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to the FOIA Administrator, same address as stated in the Notification Section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (42 FR 48291).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (42 FR 48291).

Record source categories: Individual requesters, and agencies of the Federal, State, and local governments.

Title 22-Foreign Relations

Chapter XI-International Boundary and Water Commission United States and Mexico, United States Section

PART 1101—PRIVACY ACT OF 1974

Sec.

1101.1 Purpose and scope.
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Authority: Privacy Act of 1974 (Pub. L. 93-579, 5 U.S.C. 552a).

Source: 41 FR 19625, May 13, 1976, unless otherwise noted.

Note: Nomenclature changes affecting Part 1101 appear at 43 FR 47182, Oct. 13, 1978.

§ 1101.1 Purpose and scope.

The purpose of these rules is to establish policies and procedures for implementing the Privacy Act of 1974 (Pub. L. 93–579, 5 U.S.C. 552a). The main objectives are defining the responsibilities of United States Section employees which will assure that personal information about individuals collected by the United States Section is limited to that which is legally authorized and necessary and is maintained in a manner which precludes unwarranted intrusions upon individual privacy. Further, these rules establish procedures by which an individual can: (a) Determine if the United States Section maintains records or a system of records which include a record pertaining to the individual and (b) gain access to a record pertaining to him for the purpose of review, amendment or correction.

§ 1101.2 Definitions.

For the purpose of these rules:

(a) "The Act" means the Privacy Act of 1974.

(b) "The Section" means the United States Section, International Boundary and Water Commission, United States and Mexico.

(c) "The Commission" means the International Boundary and Water Commission, United States and Mexico.

(d) "Agency" is defined to include any executive department, military department, Government corporation, Government controlled corporation or other establishment in the executive branch of the Government (including the Executive Office of the President, or any independent regulatory agency) (5 U.S.C. 552(e)).

(e) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence.

(f) "Maintain" includes maintain, collect, use, or disseminate.

(g) "Record" means any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying means assigned to the individual, such as a finger or voice print or a photograph.

(h) "System of records" means a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying means assigned to the individual.

(i) "Statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided by 13 U.S.C. 8 (Census data).

(j) "Routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

§ 1101.3 Procedures for requests pertaining to individual's records in a record system.

(a) Any individual may submit an inquiry to the United States Section to ascertain whether a system of records contains a record pertaining to him.

(b) The inquiry should be made either in person or by mail addressed to the FOIA Administrator, United States Section, International Boundary and Water Commission, 4110 Rio Bravo, El Paso, Texas 79902. The FOIA Administrator shall provide assistance to the individual making the inquiry to assure the timely identification of the appropriate system of records. The office of the FCIA Administrator is located in Room 212 and is open to an individual between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (excluding holidays).

(c) Inquiries submitted by mail should bear the designation "PRIVACY ACT—1974" in capital letters on the address side of the envelope.

(d) The Section has an official form for making inquiries, a facsimile of which is printed as Appendix B[1] hereto. Its use is urged. Copies may be obtained by contacting the FOIA Administrator, Room 212, United States Section, International Boundary and Water Commission, 4110 Rio Bravo, El Paso, Texas 79902. Copies may also be obtained by contacting the Project Offices listed in Appendix A[1] hereto.

(e) Inquiries concerning whether a system of records contains a record pertaining to an individual should contain the following:

(1) Name, address and telephone number (optional) of the individual making the inquiry;

(2) Name, address and telephone number (optional) of the individual to whom the record pertains, if the inquiring individual is either the parent of a minor or the legal guardian of the individual to whom a record pertains;

(3) A certified or authenticated copy of documents establishing parentage or guardianship;

(4) Whether the individual to whom the record pertains is a citizen of the United states or an alien lawfully admitted for permanent residence into the United States;

(5) Name of the system of records, as published in the **Federal Register**;

(6) Location of the system of records, as published in the **Federal Register**;

(7) Such additional information as the individual believes will or might assist the Section in responding to the inquiry and in verifying the individual's identity (for example: Date of birth, place of birth, names of parents, place of work, dates of employment, position title, etc.);

(8) Date of inquiry; and

(9) Individual's signature.

The Section reserves the right to require compliance with the identification procedures appearing at paragraph (f) of this section where conditions warrant.

(f) The requirements for identification of individuals seeking access to records are as follows:

(1) *In person*. Each individual making a request in person shall be required to present satisfactory proof of identity. The means of proof, in the order of preference and priority, are:

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[1] Filed as part of original document.

(i) A document bearing the individual's photograph (for example, driver's license, passport or military or civilian identification card);

(ii) A document bearing the individual's signature, preferably issued for participation in a Federally sponsored program (for example, Social Security card, unemployment insurance book, employer's identification card, national credit card and professional, craft or union membership card; and

(iii) A document bearing either the photograph or the signature of the individual, preferably issued for participation in a Federally sponsored program (for example, Medicaid card). In the event the individual can provide no suitable documentation of identity, the Section will require a signed statement asserting the individual's identity and stipulating that the individual understands the penalty provision of 5 U.S.C. 552a(i) (3).

(2) *Not in person.* If the individual making a request does not appear in person before the FOIA Administrator, a certificate of a notary public or equivalent officer empowered to administer oaths must accompany the request. The Section's official form, Appendix B,[1] for requests contains a certificate.

(3) *Parents of minors and legal guardians.* An individual acting as the parent of a minor or the legal guardian of the individual or an heir or legal representative of a deceased person to whom a record pertains shall establish his or her personal identity in the manner prescribed in either paragraph (f)(1) or (2) of this section. In addition, such individual shall establish his or her identity in the representative capacity of parent or legal guardian. In the case of the parent of a minor, the proof of identity shall be a certified or authenticated copy of the minor's birth certificate. In the case of a legal guardian of an individual who has been declared incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, the proof of identity shall be a certified or authenticated copy of the court's order. A parent or legal guardian may act only for a living individual, not for a decedent. A parent or legal guardian may be accompanied during personal access to a record by another individual, provided the requirements of paragraph (f) of § 1101.4 are satisfied. In the case of an heir or legal representative of a deceased person, the proof of identity shall be a certified copy of the Will, if any; the order of a court of competent jurisdiction admitting the Will to probate; the order of a court of competent jurisdiction appointing an executor, executrix, administrator; a letter of administration; or any other documentary evidence which establishes the identity of the individual as an heir or legal representative of a deceased person.

(g) When the provisions of this part are alleged to have the effect of impeding an individual in exercising his or her right to access, the Section will consider, from an individual making a request, alternative suggestions regarding proof of identity and access to records.

(h) An inquiry which is not addressed as specified in paragraph (b) of this section or which is not marked as specified in paragraph (c) of this section will be so addressed and marked by the Section's personnel and forwarded immediately to the FOIA Administrator. An inquiry which is not properly addressed by the individual will not be deemed to have been "received" for purposes of measuring time periods for response until forwarding of the inquiry to the FOIA Administrator has been effected. In each instance when an inquiry so forwarded is received, the FOIA Administrator shall notify the individual that his or her inquiry was improperly addressed and the date when the inquiry was received at the proper address.

(i) Each inquiry received shall be acted upon promptly by the FOIA Administrator. Every effort will be made to respond within ten (10) days (excluding Saturdays, Sundays and holidays) of the date of receipt. If a response cannot be made within ten (10) days, the FOIA Administrator shall send an acknowledgment during that period providing information on the status of the inquiry and asking for such further information as may be necessary to process the inquiry.

(j) An individual shall not be required to state a reason or otherwise justify his or her inquiry.

§ 1101.4 Disclosure of requested information to individuals.

(a) Each request received shall be acted upon promptly by the FOIA Administrator. Every effort will be made to respond within ten (10) days (excluding Saturdays, Sundays and holidays) of the date of receipt. If a response cannot be made within ten (10) days due to unusual circumstances, the comptroller shall send an acknowledgment during that period providing information on the status of the request and asking for such further information as may be necessary to process the request. "Unusual circumstances" shall include circumstances where a search for and collection of requested records from inactive storage, field facilities or other establishments are required, cases where a voluminous amount of data is involved, instances where information on other individuals must be separated or expunged from the particular record, and cases where consultations with other agencies having a substantial interest in the determination of the request are necessary.

(b) *Grant of access*—(1) *Notification.* (i) An individual shall be granted access to a record pertaining to him or her except where the record is subject to an exemption under the Act and these rules.

(ii) The FOIA Administrator shall notify the individual of such determination and provide the following information:

(A) The methods of access, as set forth in paragraph (b)(2) of this section;

(B) The place at which the record may be inspected;

(C) The earliest date on which the record may be inspected and the period of time that the records will remain available for inspection. In no event shall the earliest date be later than thirty days from the date of notification;

(D) The estimated date by which a copy of the record could be mailed and the estimate of fees pursuant to § 1101.10. In no event shall the estimated date be later than thirty (30) days from the date of notification;

(E) The fact that the individual, if he or she wishes, may be accompanied by another individual during personal access, subject to the procedures set forth in paragraph (f) of this section; and

(F) Any additional requirements needed to grant access to a specific record.

(2) *Method of Access.* The following methods of access to records by an individual may be available depending on the circumstances of a given situation:

(i) Inspection in person may be made in the office specified by the FOIA Administrator, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (excluding holidays);

(ii) Transfer of records to a Federal facility more convenient to the individual may be arranged, but only if the FOIA Administrator determines that a suitable facility is available, that the individual's access can be properly supervised at that facility, and that transmittal of the records to that facility will not unduly interfere with operations of the Section or involve unreasonable costs, in terms of both money and manpower; and

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[1] Filed as part of original document.

(iii) Copies may be mailed at the request of the individual, subject to payment of the fees prescribed in § 1101.10. The Section, at its own initiative, may elect to provide a copy by mail, in which case no fee will be charged the individual.

(c) Access to medical records is governed by § 1101.5.

(d) The Section shall supply such other information and assistance at the time of access as to make the record intelligible to the individual.

(e) The Section reserves the right to limit access to copies and abstracts of original records, rather than the original records. This election would be appropriate, for example, when the record is in an automated data media such as tape or disc, when the record contains information on other individuals, and when deletion of information is permissible under exemptions (for example, 5 U.S.C. 552(k)(1)). In no event shall original records of the Section be made available to the individual except under the immediate supervision of the FOIA Administrator or his designee. Title 18 U.S.C. section 2701(a) makes it a crime to conceal, mutilate, obliterate, or destroy a record filed in a public office, or to attempt to do any of the foregoing.

(f) Any individual who requests access to a record pertaining to that individual may be accompanied by another individual of his or her choice. "Accompanied" includes discussion of the record in the presence of the other individual. The individual to whom the record pertains shall authorize the presence of the other individual in writing and shall include the name of the other individual, a specific description of the record to which access is sought, and the date and the signature of the individual to whom the record pertains. The other individual shall sign the authorization in the presence of the FOIA Administrator or his designee. An individual shall not be required to state a reason or otherwise justify his or her decision to be accompanied by another individual during personal access to a record.

(g) *Initial denial of access*—(1) *Grounds.* Access by an individual to a record which pertains to that individual will be denied only upon a determination by the FOIA Administrator that:

(i) The record is subject to an exemption under the Act and these rules;

(ii) The record is information compiled in reasonable anticipation of a civil action or proceeding;

(iii) The provisions of § 1101.5(b) pertaining to medical records have been temporarily invoked; or

(iv) The individual unreasonably has failed to comply with the procedural requirements of these rules.

(2) *Notification.* The FOIA Administrator shall give notice of denial of access to records to the individual in writing and shall include the following information:

(i) The FOIA Administrator's name and title or position;

(ii) The date of the denial;

(iii) The reasons for the denial, including citation to the appropriate section of the Act and these rules;

(iv) The individual's opportunities for further administrative consideration, including the identity and address of the responsible official;

(v) If stated to be administratively final within the Section, the individual's right to judicial review under 5 U.S.C. 552a(g) (1) and (5).

(3) *Administrative Review.* When an initial denial of a request is issued by the FOIA Administrator, the individual's opportunities for further consideration shall be as follows:

(i) As to denial under paragraph (g)(1)(i) of this section, the sole procedure is a petition for the issuance, amendment, or repeal of a rule under 5 U.S.C. 553(e). Such petition shall be filed with the United States Commissioner, International Boundary and Water Commission, P.O. Box 20003, El Paso, Texas 79998. If the exception was determined by another agency, the FOIA Administrator will provide the individual with the name and address of the other agency and any relief sought by the individual shall be that provided by the regulations of the other agency. Within the United States Section, no such denial is administratively final until such a petition has been filed by the individual and disposed of on the merits by the United States Commissioner.

(ii) As to denial under paragraph (g)(1) (ii), (iii) or (iv) of this section, the individual may file for review with the United States Commissioner, as indicated in the FOIA Administrator's initial denial notification.

(h) If a request is partially granted and partially denied, the FOIA Administrator shall follow the appropriate procedures of this section as to the records within the grant and the records within the denial.

§ 1101.5 Special procedures: Medical records.

(a) In every case of a request by an individual for access to medical records, the FOIA Administrator shall:

(1) Inform the individual that no response to any request for access to medical records will be issued for a period of seven (7) days (excluding Saturdays, Sundays and holidays);

(2) Obtain the name and address of the individual's physician and psychologist, if the individual consents to give them;

(3) Obtain specific, written consent for the Section to consult the individual's physician and psychologist in the event that the Section believes such consultation is advisable. There will be no consultation without the written consent of the individual;

(4) Obtain specific, written consent for the Section to provide the medical records to the individual's physician or psychologist in the event that the Section believes access to the record by the individual is best effected under the guidance of the individual's physician or psychologist; no records will be provided to a physician or psychologist without the written consent of the individual; and

(b) If an individual refuses to give the names and consents set forth in paragraphs (a) (2) through (4) of this section and the Section has determined that disclosure could have an adverse effect upon the individual, the Section shall refuse the individual access to said records.

§ 1101.6 Request for correction of or amendment to a record.

(a) Any individual may submit a request for correction of or amendment to a record to the Section. The request should be made either in person or by mail addressed to the FOIA Administrator who processed the individual's request for access to the record, and to whom is delegated authority to make initial determinations on requests for correction or amendment.

(b) Since the request, in all cases, will follow a request for access under § 1101.3, the individual's identity will be established by his or her signature on the request.

(c) A request for correction or amendment should include the following:

(1) A specific identification of the record sought to be corrected or amended (for example, description, title, date, paragraph, sentence, line and words);

(2) The specific wording to be deleted, if any;

(3) The specific wording to be inserted or added, if any, and the exact place at which it is to be inserted or added; and

(4) A statement of the basis for the requested correction or amendment, with all available supporting documents and materials which substantiate the statement. The statement should identify the standard of the Act being invoked, that is, whether the information in the record is unnecessary, inaccurate, irrelevant, untimely or incomplete.

§ 1101.7 Agency review of request for correction or amendment of record.

(a) (1) Not later than ten (10) days (excluding Saturdays, Sundays and holidays) after receipt of a request to correct or amend a record, the FOIA Administrator shall send an acknowledgment providing an estimate of time within which action will be taken on the request and asking for such further information as may be necessary to process the request. The estimate of time may take into account unusual circumstances as described in § 1101.4(a). No acknowledgement will be sent if the request can be reviewed, processed and the individual notified of the results of review (either compliance or denial) within ten (10) days (excluding Saturdays, Sundays and holidays). Requests filed in person will be acknowledged in writing at the time submitted.

(2) Promptly after acknowledging receipt of a request, or after receiving such further information as might have been requested, or after arriving at a decision within ten (10) days, the FOIA Administrator shall either:

(i) Make the requested correction or amendment and advise the individual in writing of such action, providing either a copy of the corrected or amended record or a statement as to the means whereby the correction or amendment was effected in cases where a copy cannot be provided (for example, erasure of information from a record maintained only in an electronic data bank); or

(ii) Inform the individual in writing that his or her request is denied and provide the following information:

(A) The FOIA Administrator's name, title and position;

(B) The date of the denial;

(C) The reasons for the denial, including citation to the appropriate sections of the Act and these rules;

(D) The procedures for appeal of the denial as set forth in § 1101.8.

The term "promptly" in this paragraph means within thirty (30) days (excluding Saturdays, Sundays and holidays). If the FOIA Administrator cannot make the determination within thirty (30) days, the individual will be advised in writing of the reason therefor and of the estimated date by which the determination will be made.

(b) Whenever an individual's record is corrected or amended pursuant to a request by that individual, the FOIA Administrator shall notify all persons and agencies to which copies of the record had been disclosed prior to its correction or amendment, if an accounting of such disclosure required by the Act was made. The notification shall require a recipient agency maintaining the record to acknowledge receipt of the notification, to correct or amend the record, and to apprise any agency or person to which it had disclosed the record of the substance of the correction or amendment.

(c) The following criteria will be considered by the FOIA Administrator in reviewing a request for correction or amendment:

(1) The sufficiency of the evidence submitted by the individual;

(2) The factual accuracy of the information;

(3) The relevance and necessity of the information in terms of purpose for which it was collected;

(4) The timeliness and currency of the information in light of the purpose for which it was collected;

(5) The completeness of the information in terms of the purpose for which it was collected;

(6) The degree of possibility that denial of the request could unfairly result in determinations adverse to the individual;

(7) The character of the record sought to be corrected or amended; and

(8) The propriety and feasibility of complying with the specific means of correction or amendment requested by the individual.

(d) The Section will not undertake to gather evidence for the individual, but does reserve the right to verify the evidence which the individual submits.

(e) Correction or amendment of a record requested by an individual will be denied only upon a determination by the FOIA Administrator that:

(1) The individual has failed to establish, by a preponderance of the evidence, the propriety of the correction or amendment in light of the criteria set forth in paragraph (c) of this section;

(2) The record sought to be corrected or amended was compiled in a terminated judical, quasi-judicial or quasi-legislative proceeding to which the individual was a party or participant;

(3) The record sought to be corrected or amended is the subject of a pending judicial, quasi-judicial or quasi-legislative proceeding to which the individual in a party or participant;

(4) The correction or amendment would violate a duly enacted statute or promulgated regulation; or

(5) The individual unreasonably has failed to comply with the procedural requirements of these rules.

(f) If a request is partially granted and partially denied, the FOIA Administrator shall follow the appropriate procedures of this section as to the records within the grant and the records within the denial.

§ 1101.8 Appeal of initial adverse agency determination on correction or amendment.

(a) An appeal of the initial refusal to amend a record under § 1101.7 may be requested by the individual who submitted the request. The appeal must be requested in writing, signed by the individual making the request, and received by the Section within sixty (60) days of the date the individual is informed of the FOIA Administrator's refusal to amend a record in whole or in part. The request should be addressed and sent via certified mail to the Commissioner, United States Section, International Boundary and Water Commission, P.O. Box 20003, El Paso, Texas 79998. The processing of appeals will be facilitated if the words "PRIVACY APPEAL" appear in capital letters on both the envelope and the top of the appeal papers. An appeal not addressed and marked as provided herein will be marked by Section personnel when it is so identified and will be forwarded immediately to the Commissioner.

(b) The time for decision on the appeal begins on the date the appeal is received by the Commissioner. The appeal should include any documentation, information or statements advanced for the amendment of the record.

(c) There shall be a written record of the reason for the final determination. The final determination will be made not later than thirty (30) days (excluding Saturdays, Sundays and holidays) from the date the Commissioner receives the appeal; unless for good cause shown, the Commissioner extends such determination beyond the thirty (30) day period.

(d) When the final determination is that the record should be amended in accordance with the individual's request, the Commissioner shall direct the office responsible for the record to comply. The office responsible for the record shall:

(1) Amend the record as directed;

(2) If a distribution of the record has been made, advise all previous

recipients of the record of the amendment and its substance;

(3) So advise the individual in writing.

(e) When the final decision is that the request of the individual to amend the record is refused, the Commissioner shall advise the individual:

(1) Of the refusal and the reasons for it;

(2) Of his or her right to file a concise statement of the reasons for disagreeing with the decision of the Section;

(3) Of the preocedures for filing the statement of disagreement;

(4) That the statement which is filed will be made available to anyone to whom the record is subsequently disclosed together with, at the discretion of the Section, a brief statement by the Section summarizing its reasons for refusing to amend the record;

(5) That prior recipients of the disputed record will be provided a copy of any statement of dispute to the extent that an accounting of disclosures was maintained; and

(6) Of his or her right to seek judicial review of the Section's refusal to amend the record.

(f) When the final determination is to refuse to amend a record and the individual has filed a statement under paragraph (e)(2) of this section, the Section will clearly annotate the record so that the fact that the record is disputed is apparent to anyone who may subsequently have access to, use, or disclose it. When information that is the subject of a statement of dispute filed by an individual is subsequently disclosed, the Section will note that the information is disputed and provide a copy of the individual's statement. The Section may also include a brief summary of the reasons for not making a correction when disclosing disputed information. Such statements will normally be limited to the reasons given to the individual for not amending the record. Copies of the Section's statement shall be treated as part of the individual's record for granting access; however, it will not be subject to amendment by the individual under these rules.

(g) An appeal will be decided on the basis of the individual's appeal papers and the record submitted by the FOIA Administrator. No personal appearances or hearing on appeal will be allowed.

§ 1101.9 Disclosure of record to person other than the individual to whom it pertains.

(a) The Section will not disclose any information about an individual to any person other than the individual except in the following instances:

(1) Upon written request by the individual about whom the information is maintained;

(2) Prior written consent of the individual about whom the information is maintained;

(3) To parent or legal guardian, heir(s) and their legal representative(s).

(4) When permitted under 5 U.S.C. 552a(b) (1) through (11) which provides as follows:

(i) To those officers and employees of the agency which maintains the record who have a need for the record in the performance of their duties;

(ii) Required under section 552 of Title 5 of the U.S. Code;

(iii) For a routine use as defined in the Act 552a(a)(7);

(iv) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of Title 13 of the U.S. Code;

(v) To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(vi) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(vii) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought;

(viii) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

(ix) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee, and to a Congressman who is acting on behalf of his constituent.

(x) To the FOIA Administrator General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(xi) Pursuant to the order of a court of competent jurisdiction.

(5) When required by the Act and not covered explicitly by the provisions of 5 U.S.C. 552a(b). These situations include the following:

(i) Dissemination of a corrected or amended record or notation of a disagreement statement (5 U.S.C. 552a(c)(4));

(ii) Disclosure of records to an individual to whom they pertain (5 U.S.C. 552a(d));

(iii) Civil actions by an individual (5 U.S.C. 552a(g));

(iv) Release of records or information to Privacy Protection Study Commission (5 U.S.C. 552—section 5(e)(2));

(v) Fulfill needs of Office of Management and Budget to provide continuing oversight and assistance to the Section in implementation of the Act (5 U.S.C. 552—section 6).

§ 1101.10 Fees.

(a) The Section will charge no fee for the first copy of an individual's personnel record.

(b) The Section will charge a fee of $0.10 per page for copies of documents which are identified by an individual and reproduced at the individual's request for retention, except that there will be no charge for requests involving cost of $1.00 or less, but the copying fees for contemporaneous request by the same individual shall be aggregated to determine the total fee.

(c) Special and additional services provided at the request of the individual, such as certification or authentication, will be charged to the individual in accordance with other published regulations of the Section pursuant to statute (for example, 5 U.S.C. 552—Freedom of Information Act).

(d) Remittances shall be in the form either of a personal check or bank draft drawn on a bank in the United States, a postal money order, or cash. Remittance shall be made payable to the order of the Treasurer of the United States and delivered to or mailed to the FOIA Administrator, United States Section, International Boundary and Water Commission, 4110 Rio Bravo, El Paso, Texas 79902. The Section will assume no responsibility for cash sent by mail.

(e) A receipt for fees paid will be given only upon request.

§ 1101.11 Penalties.

(a) *Criminal Penalties.* The criminal penalties which have been established for violations of the Privacy Act of 1974 are set forth in 5 U.S.C. 552a(i). These penalties are applicable to any officer or employee of the Section and individuals who commit any of the violations. The three possible violations of the Act are:

(1) Unauthorized disclosure.

(2) Failure to publish a public notice of a system of records subject to these rules.

(3) Obtaining access to information under false pretenses.

(b) *Civil Remedies.* (1) An individual may bring a civil action against the United States Section to correct or amend a record, or where there is a refusal to comply with an individual request or failure to maintain any record with accuracy, relevance, timeliness and completeness, so as to guarantee fairness or failure to comply with other sections of the Act and these rules.

(2) A district court of the United States may order correction or amendment of a record and enjoin the Section from withholding a record and order the production to an individual.

(3) A district court of the United States may assess against the United States reasonable attorney fees and other costs, in any case in which a complaining individual has substantially prevailed.

§ 1101.12 General exemptions.

Individuals may not have access to records maintained by the Section but originating with another agency which has determined by regulations that such information is subject to a general exemption under 5 U.S.C. 552a(j). If such records are within a request for access, the Section will advise the requestor of their existence and of the name and address of the source agency which the requestor must contact for any further information.

§ 1101.13 Specific exemptions.

(a) Pursuant to subsection 3(k)(1) of the Act those records in any of the system of records maintained by the Section which contain any information properly classified under Executive Order 11652 and which are required by the Executive Order to be kept secret in the interest of national defense or a foreign policy are exempt. This exemption which conceivably could be applicable to individual records in any system of records for which the Section has published a systems notice is necessary because certain records in systems not specifically designated could contain isolated items of information which have been properly classified and which can not be disclosed.

(b) Those listed in the Notice of Records.

§ 1101.14 Employee: Rules of conduct.

(a) Heads of Divisions, Branches, and the projects shall ensure that all Section personnel subject to their supervision are advised of the provisions of the Privacy Act, including the criminal penalties and civil liabilities provided therein, and that Section personnel are made aware of their responsibilities to protect the security of personal information, to assure its accuracy, relevance, timeliness and completeness, to avoid unauthorized disclosure either orally or in writing, and to ensure that no system of records concerning individuals, no matter how small or specialized, is maintained without public notice.

(b) Section personnel shall:

(1) Collect no information of a personal nature from individuals unless authorized to collect it to achieve a function or carry out a responsibility or function of the Section;

(2) Collect from individuals only that information which is necessary to Section responsibilities or functions;

(3) Collect information, wherever possible, directly from the individual to whom it relates;

(4) Inform individuals from whom information is collected of the authority for collection, the purpose thereof, the uses that will be made of the information, and the effects, both legal and practical, of not furnishing the information;

(5) Neither collect, maintain, use nor disseminate information concerning an individual's religious or political beliefs or activities or his membership in associations or organizations, unless (i) the individual has volunteered such information for his own benefit; (ii) the information is expressly authorized by statute to be collected, maintained, used or disseminated; or (iii) the activities involved are pertinent to and within the scope of an authorized investigation or adjudication activity;

(6) Advise an individual's supervisors of the existence or contemplated development of any system of records which retrieves information about individuals by individual identifier;

(7) Maintain an accounting of all disclosures of information to other than Section personnel;

(8) Disclose no information concerning individuals to other than Section personnel except when authorized by the Act or pursuant to a routine use published in the **Federal Register**;

(9) Maintain and process information concerning individuals with care in order to ensure that no inadvertent disclosure of the information is made to other than Section personnel; and

(10) Call to the attention of the FOIA Administrator any information in a system maintained by the Section which is not authorized to be maintained under the provisions of the Act, including information on First Amendment activities, information that is inaccurate, irrelevant or so incomplete as to risk unfairness to the individual concerned.

(c) The system of records maintained by the Section shall be reviewed annually by the FOIA Administrator to ensure compliance with the provisions of the Act.

(d) Information which may be used in making determinations about an individual's rights, benefits, and privileges shall, to the greatest extent practicable, be collected directly from that individual. In deciding whether collection of information from an individual, as opposed to a third party source, is practicable, the following criteria, among others, may be considered:

(1) Whether the nature of the information sought is such that it can only be obtained from a third party;

(2) Whether the cost of collecting the information from the individual is unreasonable when compared with the cost of collecting it from a third party;

(3) Whether there is a risk that information requested from the third parties, if inaccurate, could result in an adverse determination to the individual concerned;

(4) Whether the information, if supplied by the individual, would have to be verified by a third party; or

(5) Whether provisions can be made for verification by the individual of information collected from third parties.

(e) Employees whose duties require handling of records subject to the Act shall, at all times, take care to protect the integrity, security and confidentiality of these records.

(f) No employee of the Section may alter or destroy a record subject to the Act unless (1) such alteration or destruction is properly undertaken in the course of the employee's regular duties or (2) such alteration or destruction is required by a decision of the Commissioner or the decision of a court of competent jurisdiction.

§ 1101.15 Security, confidentiality and protection of records.

(a) The Act requires that records subject to the Act be maintained with appropriate adminstrative, technical and physical safeguards to ensure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience or unfairness to any individual on whom information is maintained.

(b) When maintained in manual form (typed, printed, handwritten, etc.) records shall be maintained, at a minimum, subject to the following safeguards, or safeguards affording comparable protection:

(1) Areas in which the records are maintained or regularly used shall be posted with an appropriate warning stating that access to the records is limited to authorized persons. The warning shall also summarize the requirements of § **1101.14** and state that the Act contains a criminal penalty for the unauthorized disclosure of records to which it applies.

(2) During working hours: (i) The area in which the records are maintained or regularly used shall be occupied by authorized personnel or (ii) access to the records shall be restricted by their storage in locked metal file cabinets or a locked room.

(3) During non-working hours, access to the records shall be restricted by their storage in locked metal file cabinets or a locked room.

(4) Where a locked room is the method of security provided for a system, that security shall be supplemented by (i) providing lockable file cabinets or containers for the records or (ii) changing the lock or locks for the room so that they may not be opened with a master key. For purposes of this paragraph, a master key is a key which may be used to open rooms other than the room containing records subject to the Act, unless those rooms are utilized by officials or employees authorized to have access to the records subject to the Act.

(5) Personnel handling personal information during routine use will ensure that the information is properly controlled to prevent unintentional or unauthorized disclosure. Such information will be used, held, or stored only where facilities or conditions are adequate to prevent unauthorized or unintentional disclosure.

(c) When the records subject to the Act are maintained in computerized form, safeguards shall be utilized based on those recommended in the National Bureau of Standard's booklet Computer Security Guidelines for Implementing the Privacy Act of 1974" (May 30, 1975), and any supplements thereto, which are adequate and appropriate to assuring the integrity of the records.

§ 1101.16 Accounting for disclosures.

(a) Each system manager shall establish a system of accounting for all disclosures of records, either orally or in writing made outside the U.S. Section, unless otherwise exempted under this section. Accounting procedures may be established in the least expressive and most convenient form that will permit the FOIA Administrator to advise individuals promptly upon request of the persons or agencies to which records concerning them have been disclosed. Accounting of disclosures made under subsection (b)(7) of the Privacy Act (552a) relating to civil or criminal law enforcement activities shall not be made available to the individual named in the record.

(b) Accounting records, at a minimum, shall include the date, nature, and purpose of each disclosure of a record and the name and address of the person or agency to whom the disclosure was made. Accounting records shall be maintained for at least five years of the life of the record, whichever is longer.

(c) Accounting is not required to be kept for disclosure made within the U.S. Section or disclosures made pursuant to the Freedom of Information Act.

(d) If an accounting of the disclosure was made, the FOIA Administrator shall inform any person or other agency about any correction or notation of dispute made by the U.S. Section in accordance with subsection (d) of section 552a of any record that has been disclosed to the person or agency.

Title 22-Foreign Relations

Chapter XII-International Development Cooperation Agency

PART 215—REGULATIONS TO IMPLEMENT THE PRIVACY ACT OF 1974

Sec.

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Appendix A—Agency for International Development, address and locations of office referenced in the regulations and notices

Authority: Sec. 621, Foreign Assistance Act of 1961, as amended, (22 U.S.C. 2381; 75 Stat. 445); secs. 3, 4, Administrative Procedures Act (5 U.S.C. 553; 60 Stat. 237); Privacy Act of 1974 (Pub. L. 93–579; 5 U.S.C. 552a; 88 Stat. 1896).

Source: 40 FR 45679, Oct. 2, 1975, unless otherwise noted.

§ 215.1 Purpose and scope.

(a) It is the purpose and objective of the International Development Cooperation Agency and the Agency for International Development to collect information, revise personal data collection forms or processes, and maintain Agency records in a manner that will prevent an unwarranted invasion of privacy of those individuals who are the subjects of Agency records.

(b) These regulations establish the procedures by which an individual may obtain notification of the existence of Agency records pertaining to that individual, gain access to those records, request an amendment or correction to the records, and appeal adverse decisions to requests for amendment or correction of Agency records.

(c) The Agency separately states and publishes in the **Federal Register** a public notice of the existence and character of systems maintained by the Agency, pursuant to the provisions of sections (e)(4) and (e)(11) of the Privacy Act of 1974 (5 U.S.C. 552a; 88 Stat. 1896).

[40 FR 45679, Oct. 2, 1975, as amended at 45 FR 20790, Mar. 31, 1980]

§ 215.2 Definitions.

(a) "Act" means the Privacy Act of 1974 (5 U.S.C. 552a; 88 Stat. 1896);

(b) "Agency" means the International Development Cooperation Agency or the Agency for International Development, its offices, bureaus, divisions, and posts abroad;

(c) "Amend" shall include the amendment or correction of a record;

(d) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

(e) "Maintain" includes maintain, collect, use or disseminate;

(f) "Record" means any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph;

(g) "Routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected;

(h) "Statistical Record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided by section 8 of title 13;

(i) "System of Records" means a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

[40 FR 45679, Oct. 2, 1975, as amended at 45 FR 20790, Mar. 31, 1980]

§ 215.3 Procedures for requests pertaining to individual records in a system of records.

(a) Requests for notification of access to or amendment of Agency records contained in a system of record pertaining to an individual may be made in person or by mail as follows:

For I.D.C.A.

Assistant Director for Administration,
International Development Cooperation Agency, Room 3929 New State, 320 21st Street, NW., Washington, D.C. 20523.
Attention: Privacy Act Officer.

For A.I.D.

Privacy Liaison Officer, Agency for
International Development, Room 2728 New State, 320 21st Street, NW.,
Washington, D.C. 20523.

(b) Such request should include information necessary to identify the record, e.g., the individual's full name, date of birth, place of birth, present mailing address, system of record identification name and number, if known, and, to facilitate the retrieval of records contained in those systems of records which are retrievable by social security numbers, the social security number of the individual to whom the record pertains.

(c) With respect to a system of records which may be maintained by the Agency in offices outside the United States, an individual may inquire whether he or she is the subject of an Agency record or may request access to or amendment of such records by appearing in person or by writing to the Privacy Liaison Officer, Agency for International Development, at the address given for the applicable country in Appendix A of this part.

(d) The Assistant Director for Administration for requests to I.D.C.A. or the appropriate Privacy Liaison Officer for request to A.I.D. , or their designees, shall, within ten (10) working days of receipt of the request, furnish in writing to the requesting individual notice of the existence or nonexistence of any records described in the request.

[40 FR 45679, Oct. 2, 1975, as amended at 45 FR 20790, Mar. 31, 1980]

§ 215.4 Times, places, and requirements for identification of individuals making requests.

(a) Individuals making personal requests for notification, access or contest may do so at the place designated in paragraph (a) of § 215.3, which is open from 9 a.m. to 5 p.m. daily, except Saturdays, Sundays, and Legal Public Holidays.

(b) Individuals making personal requests for notification, access or contest at offices outside the United States may do so at the places designated in paragraph (c) of § 215.3, during the regular business hours of those offices.

(c) An individual requesting such information in person shall provide such personal identification as is reasonable under the circumstances to verify the individual's identity; e.g., driver's license, employee identification card, or medicare card.

(d) An individual requesting such information by mail shall include in his or her request a signed notarized statement to verify his or her identity and which stipulates that the individual understands that knowingly or willfully seeking or obtaining access to records about another individual under false pretenses is punishable by a fine up to 5,000, as provided in section (i)(3) of the Act.

(e) Verification of identity as set forth in paragraphs (c) and (d) of this section shall not be required of individuals seeking access to records otherwise available to any member of the public under the Freedom of Information Act (5 U.S.C. 552; 88 Stat. 1561).

(f) An individual who wishes to be accompanied by another person when reviewing a record shall furnish the Agency with a written statement authorizing discussion of his or her record in the presence of the accompanying person. Such statement need not contain any reasons for the access or for the accompanying person's presence.

§ 215.5 Access to requested information by individuals.

(a) Upon receipt of a request by an individual made in accordance with the provisions of § 215.3, such individual shall be granted access to any record pertaining to him or her which is contained in a system of records maintained by the Agency.

(b) Notwithstanding the provisions of paragraph (a) of this section, access will not be allowed an individual to information or records compiled by the Agency in reasonable anticipation of a civil or criminal action or proceeding.

(c) Whenever possible, access to requested records will be granted:

(1) Where the request is presented in person and the record is readily available, promptly upon receipt of the request for access, determination that access to the record may be granted, verification of the identity of the individual seeking access, and, where applicable, receipt of consent to discuss the record with a person accompanying the individual;

(2) Where the request is made by mail, the record will, whenever possible, be provided within ten (10) working days of receipt of the request.

(d) Where access to a record cannot reasonably be granted as provided in paragraphs (c) (1) and (2) of this section, the Agency will acknowledge in writing receipt of the request for access and indicate a reasonable time within which access to the record can be granted.

(e) Where no reasonable means exist for an individual to have access to his or her record in person, a copy of the record may be provided through the mail. No fee will be charged for providing copies pursuant to this subsection.

§ 215.6 Special procedures: Medical records.

If the Assistant Director for Administration or the Privacy Act Liaison Officer determines that the release directly to the individual of medical records maintained by the Agency could have an adverse effect upon such individual, the director will attempt to arrange an acceptable alternative (such as the release of said information to a doctor named by the individual) in granting access to such record.

[40 FR 45679, Oct. 2, 1975, as amended at 45 FR 20790, Mar. 31, 1980]

§ 215.7 Request for correction or amendment of record.

(a) An individual may request the Agency to correct or amend a record pertaining to him or her which the individual believes is not accurate, relevant, timely or complete.

(b) Such request must be in writing and must be presented, in person or by mail to the addresses listed in § 215.3(a).

(c) Such requests, whether or not submitted on forms provided therefor, must set forth the following information:

(1) Identification of the system of records in which the particular record is maintained;

(2) The portion(s) of the record to be amended or corrected;

(3) The desired amendment or correction;

(4) The reasons for the amendment or correction; and the request must be accompanied by evidence, documentation, or other information in support of the request.

(d) Assistance in preparing a request to amend a record may be obtained from the officials listed in § 215.3(a).

[40 FR 45679, Oct. 2, 1975, as amended at 45 FR 20790, Mar. 31, 1980]

§ 215.8 Agency review of requests for amendment of record.

(a) The Agency will examine the information requested to be amended to determine its accuracy, timeliness, and completeness, and its relevancy and necessity to accomplish a purpose of the Agency required to be accomplished by statute or by executive order.

(b) Within ten (10) working days after the receipt by the Assistant Director for Administration or the Privacy Liaison Officer of a request made in accordance with this section, the Assistant Director for Administration or the Privacy Liaison Officer shall acknowledge in writing such receipt and shall, after examination in accordance with the provisions of paragraph (a) of this section, promptly either:

(1) Make any amendment of any portion thereof which the individual believes is not accurate, relevant, timely or complete, and notify the individual of the amendment made; or

(2) Inform the individual of the Agency's refusal to amend the record in accordance with the request, the reason(s) for the refusal, and the procedures established by the Agency for the individual to request a review of that refusal.

(c) If the Agency agrees with the individual's request to amend a record, in addition to proceeding as set forth in paragraph (b)(1) of this section, it shall promptly advise all previous recipients of the record of the fact that the amendment was made and the substance of the amendment where an accounting of disclosures has been made.

(d) If unusual circumstances prevent the completion of Agency action on the request to amend within 30 days after the receipt thereof by the Assistant Director for Administration or the Privacy Liaison Officer, the individual will be promptly advised of the delay, the reasons for the delay, and of the date by which the review is expected to be completed.

(e) If the Agency, after its initial examination of the record and the request for Amendment, disagrees with all or any part of the individual's request to amend it shall:

(1) To the extent the Agency agrees with any part of the individual's request to amend, proceed as described in paragraphs (b)(1) and (c) of this section;

(2) Advise the individual of its refusal and the reason(s) therefor;

(3) Inform the individual that he or she may request a further review by Director or Administrator, or their designees; and

(4) Describe the procedures for requesting such a review, including the name and address of the official to whom the request should be directed.

(f) No part of these regulations shall be construed to permit:

(1) The alteration of evidence presented in the course of judicial, quasi-judicial or quasi-legislative proceedings;

(2) Collateral attack upon any matter which has been the subject of judicial or quasi-judicial action; or

(3) An amendment or correction which would be in violation of an existing statute, executive order or regulation.

[40 FR 45679, Oct. 2, 1975, as amended at 45 FR 20790, Mar. 31, 1980]

§ 215.9 Appeal of initial adverse agency determination.

(a) An individual who disagrees with the denial or partial denial of his or her request to amend a record may file a request for review of such refusal within 60 days after the date of notification of the denial or partial denial.

(b) The request for review must be in writing and may be presented in person or by mail to:

Director, International Development Cooperation Agency, 320 21st Street, NW., Washington D.C. 20523. Attention: Executive Secretary, Privacy Review Request.

Administrator, Agency for International Development, 320 21st Street, N.W., Washington, D.C. 20523. Attention: Executive Secretary, Privacy Review Request.

Both the envelope and the letter should be clearly marked: *Attention: Executive Secretary, Privacy Review Request.* Such request should include any documentation, information or statements advanced for the amendment of the record, and a copy of the initial adverse determination.

(c) Upon receipt of the request for review, the Director or the Administrator, or an officer of the Agency designated in writing by the Director or Administrator, shall undertake an independent review of the initial determination.

(d) If someone other than the Director or the Administrator is designated to conduct the review, he or she shall be an officer who is organizationally independent of or senior to the officer or employee who made the initial determination.

(e) In conducting the review, the reviewing official may, at his or her option, request such additional information as is deemed necessary to establish that the record contains only that information which is accurate, timely, complete and necessary to assure fairness in any determination which may be made about the individual on the basis of the record.

(f) Within 30 days after receipt of the request for review, the Director, the Administrator, or the official designated to conduct the review, shall advise the individual of the Agency's final decision. If unusual circumstances prevent the completion of the review within the 30-day period, the Agency shall, prior to the expiration of the 30-day period, advise the individual in writing of the circumstances preventing the completion of such review and inform him or her of the date by which the review is expected to be completed.

(g) If the reviewing official determines that the record should be amended in accordance with the individual's request, the Agency shall:

(1) Amend the record accordingly;

(2) Advise the individual of the amendment; and

(3) Where an accounting of disclosures has been made, advise all previous recipients of the fact that the amendment was made and the nature of the amendment.

(h) If, after conducting the review, the reviewing official refuses to amend the record, in whole or in part, in accordance with the individual's request, Agency shall advise the individual:

(1) Of its refusal and the reasons therefor;

(2) Of the individual's right to file a concise statement of his or her reasons for disagreeing with the Agency's decision;

(3) Of the procedures for filing a statement of disagreement;

(4) That any such statement will be made available to anyone to whom the record is subsequently disclosed, together with a brief statement by the Agency summarizing its reasons for refusing to amend the record;

(5) That to the extent an accounting of disclosure was maintained, prior recipients of the disputed record will be provided a copy of any statement of disagreement and of the Agency's statement summarizing its reasons for refusing to amend the record; and

(6) Of the individual's right to seek judicial review of the Agency's refusal to amend a record as provided for in section (g)(1)(a) of the Act.

[40 FR 45679, Oct. 2, 1975, as amended at 45 FR 20790, Mar. 31, 1980]

§ 215.10 Disclosure of record to person other than the individual to whom it pertains.

(a) Subject to the conditions of paragraphs (b) and (c) of this section, the Agency shall not disclose any record which is contained in a system of records by any means of communication to any person or other agency who is not the individual to whom the record pertains.

(b) Upon written request or with prior written consent of the individual to whom the record pertains, the Agency may disclose any such record to a person or to another agency as requested or authorized.

(c) Notwithstanding the absence of written consent from the individual to whom the record pertains, the Agency may disclose any such record provided such disclosure is:

(1) To those officers and employees of the Agency who have a need for the record in the performance of their duties;

(2) Required under the Freedom of Information Act (5 U.S.C. 552);

(3) For a routine use as defined in § 215.2;

(4) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of Title 13 of the United States Code;

(5) To a recipient who has provided the Agency with adequate advance written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his or her designee, to determine whether the record has such value;

(7) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity authorized by law: *Provided,* The head of the agency or instrumentality has made a prior written request to the Assistant Administrator of Administration or the Privacy Liaison Officer specifying the particular record and the law enforcement activity for which it is sought;

(8) To a responsible person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification will be transmitted to the last known address of such individual;

(9) To either House of Congress, and to the extent of a matter within its jurisdiction, any committee or subcommittee, or joint committee of Congress, or subcommittee of such joint committee;

(10) To the Comptroller General, or any of his or her authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(11) Pursuant to an order of a court of competent jurisdiction.

[40 FR 45679, Oct. 2, 1975, as amended at 45 FR 20790, Mar. 31, 1980]

§ 215.11 Fees.

(a) Except as provided in paragraph (b) of this section, and § 215.5(e), fees for copies of records and documents will be charged at the rate of 10 cents per page (one side), limited to size 8½" by 14" or smaller.

(b) No fees will be charged for providing the first copy of a record or any portion thereof to individuals to whom the record pertains.

(c) If special handling or other than first-class mail is requested or required, the costs thereof shall be added to the basic fee.

(d) Remittance may be in the form of a check, bank draft on a bank in the United States, or postal money order, payable to the Treasurer of the United States, or cash.

(e) A receipt for fees paid will be given only upon request.

§ 215.12 Penalties and remedies.

The provisions of the Act relating to penalties and remedies are summarized below:

(a) An individual may bring a civil action against the Agency when the Agency:

(1) Makes a determination not to amend a record in accordance with the individual's request;

(2) Refuses to comply with an individual's request pursuant to 5 U.S.C. 552a (d)(1);

(3) Fails to maintain a record concerning an individual with such accuracy relevance, timeliness and completeness as is necessary to assure fairness in any determination relating to the qualifications, character, rights, or opportunities of, or benefits to the individual that may be made on the basis of such record, and as a result thereof a determination is made which is adverse to the individual; or

(4) Fails to comply with any other provision of section (d) of the Act in such a way as to have an adverse effect on an individual.

(b) The court may order the correction or amendment of the record, may enjoin the Agency from withholding the records, may order the Agency to produce any records improperly withheld, and may assess attorneys' fees and costs.

(c) Where a court of competent jurisdiction makes a determination that the Agency action was willful or intentional with respect to 5 U.S.C. 552a (g)(1) (c) or (d), the United States shall be liable for actual damages of no less than 1,000 dollars, the costs of the action, and attorneys' fees.

(d) Criminal penalties may be imposed against an officer or employee of the Agency who willfully discloses material which he or she knows is prohibited from disclosure, or who maintains a system of records without complying with the notice requirements.

(e) Criminal penalties may be imposed against any person who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretenses. The offenses enumerated in paragraph (d) of this section and this paragraph (e) are misdemeanors, with fines not to exceed 5,000 dollars.

§ 215.13 General exemptions.

(a) Pursuant to 5 U.S.C. 552a (j)(2), the Director or the Administrator may, where there is a compelling reason to do so, exempt a system of records within the Agency from any part of the Act, except subsections (b), (c) (1) and (2), (e)(4)(A) through (F), (e) (6), (7), (9), (10), and (11), and (i) thereof, if the system of records is maintained by the Agency or component thereof which performs as its principal function any activity pertaining to the enforcement of criminal laws, including police efforts to prevent, control, or reduce crime or to apprehend criminals, and the activities of prosecutors, courts, correctional, probation, pardon, or parole authorities, and which consists of:

(1) Information compiled for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrests, the nature and disposition of criminal charges, sentencing, confinement, release, and parole and probation status;

(2) Information compiled for the purpose of a criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; or

(3) Reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision.

(b) Each notice of a system of records that is the subject of an exemption under this section will include a statement that the system has been exempted, the reasons therefor, and a reference to the **Federal Register** issue where the exemption rule can be found.

(c) The systems of records to be exempted under section (j)(2) of the Act, the provisions of the Act from which they are being exempted, and the justification for the exemptions, are set forth below:

(1) *Criminal Law Enforcement Records.* This system of records is to be exempted from sections (c) (3) and (4), (d), (e) (1), (2), and (3), (e) (4) (G), (H), and (I), (e) (5) and (8), (f), (g) and (h) of the Act. These exemptions are necessary to insure the proper functioning of the law enforcement activity, to protect confidential sources of information, to fulfill promises of confidentiality, to maintain the integrity of the law enforcement procedures, to avoid premature disclosure of the knowledge of criminal activity and the evidentiary bases of possible enforcement actions, to prevent interference with law enforcement proceedings, to avoid the disclosure of investigative techniques, and to avoid the endangering of law enforcement personnel.

[40 FR 45679, Oct. 2, 1975, as amended at 45 FR 20790, Mar. 31, 1980]

§ 215.14 Specific exemptions.

(a) Pursuant to 5 U.S.C. 552a(k) the Director or the Administrator may, where there is a compelling reason to do so, exempt a system of records, from any of the provisions of subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Act if a system of records is:

(1) Subject to the provisions of 5 U.S.C. 552(b)(1);

(2) Investigatory material compiled for law enforcement purposes, other than material within the scope of subsection (j)(2) of the Act: *Provided, however,* That if any individual is denied any right, privilege, or benefit to which he or she would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to such individual, except to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence;

(3) Maintained in connection with providing protective services to the President of the United States or other individuals pursuant to 18 U.S.C. 3056;

(4) Required by statute to be maintained and used solely as statistical records;

(5) Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence;

(6) Testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service, the disclosure of which would compromise the objectivity or fairness of the testing or examination process; or

(7) Evaluation material used to determine potential for promotion in the armed services, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

(b) Each notice of a system of records that is the subject of an exemption under 5 U.S.C. 552a(k) will include a statement that the system has been exempted, the reasons therefor, and a reference to the **Federal Register** issue where the exemption rule can be found.

(c) The systems of records to be exempted under section (k) of the Act, the provisions of the Act from which they are being exempted, and the justification for the exemptions, are set forth below:

(1) *Criminal Law Enforcement Records.* If the 5 U.S.C. 552a(j)(2) exemption claimed under paragraph (c) of § 215.13 and on the notice of systems of records to be published in the **Federal Register** on this same date is held to be invalid, then this system is determined to be exempt, under 5 U.S.C. 552a(k) (1) and (2) of the Act, from the provisions of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4), (G), (H), and (I), and (f). The reasons for asserting the exemptions are to protect the materials required by Executive Order to be kept secret in the interest of the national defense or foreign policy, to prevent subjects of investigation from frustrating the investigatory process, to insure the proper functioning and integrity of law enforcement activities, to prevent disclosure of investigative techniques, to maintain the ability to obtain necessary information, to fulfill commitments made to sources to protect their identities and the confidentiality of information and to avoid endangering these sources and law enforcement personnel.

(2) *Personnel Security and Suitability Investigatory Records.* This system is exempt under U.S.C. 552a (k)(1), (k)(2), (k)(3), and (k)(5) from the provisions of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4), (G), (H), and (I), and (f). These exemptions are claimed to protect the materials required by Executive Order to be kept secret in the interest of national defense or foreign policy, to prevent subjects of investigation from frustrating the investigatory process, to insure the proper functioning and integrity of law enforcement activities, to prevent disclosure of investigative techniques, to assure the protection of the President, to maintain the ability to obtain candid and necessary information, to fulfill commitments made to sources to protect the confidentiality of information, to avoid endangering these sources and, ultimately, to facilitate proper selection or continuance of the best applicants or persons for a given position or contract. Special note is made of the limitation on the extent to which this exemption may be asserted.

(3) *Litigation Records.* This system is exempt under 5 U.S.C. 552a(k)(1), (k)(2), and (k)(5) from the provisions of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f). These exemptions are claimed to protect the materials required by Executive Order to be kept secret in the interest of national defense or foreign policy, to prevent subjects of investigation from frustrating the investigatory process, to insure the proper functioning and integrity of law enforcement activities, to prevent disclosure of investigative techniques, to maintain the ability to obtain candid and necessary information, to fulfill commitments made to sources to protect the confidentiality of information, to avoid endangering these sources and, ultimately, to facilitate proper selection or continuance of the best applicants or persons for a given position or contract.

(4) *Employee Equal Employment Opportunity Complaint Investigatory Records.* This system is exempt under 5 U.S.C. 552a (k)(1), (k)(2), (k)(4), and (k)(5) from the provisions of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4), (G), (H), and (I), and (f). These exemptions are claimed to protect the materials required by Executive Order to be kept secret in the interest of national defense or foreign policy, to prevent subjects of investigation from frustrating the investigatory process, to insure the proper functioning and integrity of law enforcement activities, to prevent disclosure of investigative techniques, to maintain the ability to obtain candid and necessary information, to fulfill commitments made to sources to protect the confidentiality of information, to avoid endangering these sources and, ultimately, to facilitate proper selection or continuance of the best applicants or persons for a given position or contract, and to prevent interference with a legitimate, Congressionally sanctioned activity.

(5) The following systems of records are exempt under 5 U.S.C. 552a (k)(5) from the provisions of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4), (G), (H), and (I), and (f):

(i) Employee Conduct and Discipline Records.

(ii) Employee Relations Records.

This exemption is claimed for these systems of records to maintain the ability to obtain candid and necessary information, to fulfill commitments made to sources to protect the confidentiality of information, to avoid endangering these sources and, ultimately, to facilitate proper selection or continuance of the best applicants or persons for a given position or contract. Special note is made of the limitation on the extent to which this exemption may be asserted. The existence and general character of the information exempted will be made known to the individual to whom it pertains.

APPENDIX A—AGENCY FOR INTERNATIONAL DEVELOPMENT, ADDRESS AND LOCATIONS OF OFFICE REFERENCED IN THE REGULATIONS AND NOTICES

	Mailing address	Location
	OFFICE	
I. In the United States:		
State Department	A.I.D., Washington, D.C. 20523	320 21st St. NW., Washington, D.C.
State Department, Annex 2	do	515 22d St. NW., Washington, D.C.
State Department, Annex 5	do	1901 Pennsylvania Ave. NW., Washington, D.C.
State Department, Annex 11	do	1401 Wilson Blvd., Arlington, Va.
Universal North Building	do	1975 Florida Ave. NW., Washington, D.C.
Pomponio Plaza Building	do	1735 North Lynn St., Arlington, Va.
Rosslyn Plaza "E" Building	do	1621 N. Kent St., Arlington, Va.
Rosslyn Plaza "C" Building	do	
New Cumberland	A.I.D. Excess Property Division, Building 54-5, New Cumberland Army Depot, New Cumberland, Pa. 17070.	Building 54-5, New Cumberland Army Depot, New Cumberland, Pa. 17070.

APPENDIX A—AGENCY FOR INTERNATIONAL DEVELOPMENT, ADDRESS AND LOCATIONS OF OFFICE REFERENCED IN THE REGULATIONS AND NOTICES—Continued

	Mailing address	Location
	MISSION	
II. Abroad:		
Afghanistan	USAID to Afghanistan, c/o American Embassy, Kabul, Afghanistan.	Wazir Abkar Khan Mina, Kabul, Afghanistan.
Bangladesh	USAID, c/o American Embassy, Dacca, Bangladesh.	Adamjee Court Bldg. Montijheel, Dacca, Bangladesh.
Brazil	USAID to Brazil, CAIZA Postal 14-2324, Brasilia D.F., Brazil.	Ed. Bandeirantes, SCS Q. 17, Lote 2/5, Brasilia, Brazil.
British Honduras	American Consulate, Belize City, British Honduras.	Gabourel Lane and Hutson St., Belize City, Belize.
Bolivia	USAID to Bolivia, c/o American Embassy, La Paz, Boliva.	363 Almirante Grau St., La Paz, Bolivia.
Chad	Country Development Officer, c/o American Embassy, N'Djamena, Chad.	Rue du Lt. Col. Colonna d'Ornano, N'Ljamena, Chad.
Cameroon	Area Development Office, c/o American Embassy, Yaounde, Cameroon.	Rue Nachtigal, Yaounde, Cameroon.
Chile	USAID to Chile, c/o American Embassy, Santiago, Chile.	Avenida B. O'Higgins No. 1146, Santiago, Chile.
Colombia	USAID to Colombia, c/o American Embassy, Bogota, Colombia.	Carrera 10 Nr 28-49, Bogota, Colombia.
Costa Rica	Office of AID Affairs, c/o American Embassy, San Jose, Costa Rica.	Avenida 3 Calle 1, San Jose, Costa Rica.
Dominican Republic	USAID to Domincan Republic, c/o American Embassy, Santo Domingo, Dominican Republic.	Calle Cesar Nicolas Pensen and Calle, Leopoldo Navarro, Santo Domingo, Dominican Republic.
Ecuador	USAID to Ecuador, c/o American Embassy, Quito, Ecuador.	120 Avenida Patria, Quito, Ecuado.
Egypt	USAID, American Embassy, Cairo, Egypt.	5 Sharia Latin America, Cairo, Egypt.
El Salvador	USAID to El Salvador, c/o American Embassy, San Salvador, El Salvador.	No. 1230, 25 Avenida Norte, San Salvador, El Salvador.
Ethiopia	USAID to Ethiopia, c/o American Embassy, Addis Ababa, Ethiopia.	Crown Prince Asfaw Wossen St., Addis Ababa, Ethiopia.
France	U.S. Mission to the OECD, c/o American Embassy, Paris, France.	13 Villa Croix Nivert, Paris, France.
Ghana	USAID, P.O. Box 1630, Accra, Ghana.	Liberia and Rowe Roads, Accra, Ghana.
Guatemala	USAID/ROCAP, c/o American Embassy, Guatemala City, Guatemala.	USAID/ROCAP, 7-86, 8th St., Zone 9, Guatemala City, Guatemala.
Guyana	USAID to Guyana, c/o American Embassy, Georgetown, Guyana.	65 Main St., Georgetown, Guyana.
Haiti	Office of AID Representative, American Embassy, Port au Prince, Haiti.	American Embassy, Harry Truman Blvd., Port au Prince, Haiti.
Honduras	USAID to Honduras, c/o American Embassy, Tegucigalpa, Honduras.	Avenida La Paz, Tegucigalpa, Honduras.
Iceland	American Embassy, Reykjavik, Iceland.	Laufasvegur 21, Reykjavik, Iceland.
India	USAID to India, c/o American Embassy, New Delhi, India 11.	Shanti Path, Chanakyapuri 21, New Delhi, India.
Indonesia	USAID to Indonesia, c/o American Embassy, Jakarta, Indonesia.	Medan Merdeka, Selatan 5, Jakarta, Indonesia.
Italy	American Embassy, Rome, Italy.	Via Veneto 119, Rome, Italy.
Ivory Coast	Regional Economic Development Services Offices/West Africa, c/o American Embassy, Abidjan, Ivory Coast.	5, Rue Jesse Owens, Abidjan, Ivory Coast.
Jamaica	Office of AID Affairs, c/o American Embassy, Kingston, Jamaica.	American Embassy, 43 Duke St., Kingston, Jamaica.
Jordan	American Embassy, Amman, Jordan.	Jebel Amman, Amman, Jordan.
Kenya	USAID to Kenya, P.O. Box 30261, Nairobi, Kenya.	Cotts House, Eliot St., Nairobi, Kenya.
Korea	USAID to Korea, c/o American Embassy, Seoul, Korea.	New Seoul Bldg. 1503 62-7, 2-KA, Chungmu-Ro, Chung-Ku, Seoul, Korea.
Lebanon	AID Regional Training Office, c/o American Embassy, Beirut, Lebanon.	Corniche at Rue Ain Mreisseh, Beirut, Lebanon.
Liberia	USAID, P.O. Box 1445, Monrovia, Liberia.	United Nations Dr., Monrovia, Liberia.
Mali	Country Development Officer, c/o American Embassy, Bamako, Mali.	Rue Testard and Rue Mohamed V, Bamako, Mali.
Mauritania	Country Development Officer, c/o American Embassy, Nouakchott, Mauritania.	American Embassy, Nouakchott, Mauritania.

Appendix A—Agency for International Development, Address and Locations of Office Referenced in the Regulations and Notices—Continued

	Mailing address	Location
Mexico	Office of AID Affairs, c/o American Embassy, Mexico D.F. Mexico.	Cor. Danubio and Paseo de la Reforma, 305, Colonia Cuauhtemoc, Mexico D.F. Mexico.
Morocco	USAID to Morocco, c/o American Embassy, Rabat, Morocco.	2 Ave. de Marrakech, Rabat, Morocco.
Nepal	USAID to Nepal, c/o American Embassy, Kathmandu, Nepal.	Rabi Bhawan, Kathmandu, Nepal.
Nicaragua	USAID to Nicaragua, c/o American Embassy, Managua, Nicaragua.	Boulevard Somoza, Managua, Nicaragua.
Niger	Area Development Office, c/o American Embassy, Niamey, Niger.	Yantala Road, Niamey, Niger.
Nigeria	USAID to Nigeria, c/o American Embassy, Lagos, Nigeria.	1/3 Moloney St., Lagos, Nigeria.
Parkistan	USAID, P.O. Box 1208, Islamabad, Pakistan.	Diplomatic Enclave, Ramna 4, Islamabad, Pakistan.
Panama	USAID to Panama, c/o American Embassy, Panama City, Panama.	USAID Main Bldg., Cemento Panama Bldg., Manuel Espinosa Batista, Panama City, Panama.
Paraguay	USAID to Paraguay, c/o American Embassy, Asuncion, Paraguay.	390 Kubitschek, Asuncion, Paraguay.
Peru	USAID to Peru, c/o American Embassy, Lima, Peru.	Av. Espana 386, Lima, Peru.
Philippines	USAID to the Republic of the Philippines, c/o American Embassy, Manila, Philippines.	1680 Roxas Blvd., Manila, Philippines.
Portugal	American Embassy, Lisbon, APO New York 09678.	Avenida Duque de Loule No. 39, Lisbon, Portugal.
Puerto Rico	c/o Assistant Secretary, International Exchange, Department of State, Commonwealth of Puerto Rico, San Juan, Puerto Rico.	OTC, San Juan, Puerto Rico.
Senegal	Area Development Office, c/o American Embassy, Dakar, Senegal.	BIAO Building, Place de l'Independance, Dakar, Senegal.
Sri Lanka	Office of AID Representative c/o American Embassy, Colombo, Sri Lanka.	44 Galle Road, Colpetty, Colombo, Sri Lanka.
Sudan	AID Affairs Office, c/o Embassy of the Netherlands, Khartoum, Sudan.	Gambouria Ave., Khartoum, Sudan.
Swaziland	Office of Southern African Regional Activities, Coordination/Mbabane, c/o American Embassy, Mbabane, Swaziland.	OSA RAC-Hdqts., 218 Gilfilan St., Mbabane, Swaziland.
Switzerland	U.S. Mission to International Organization, c/o Amemb, Geneva, Switzerland.	80 Rue de Lausanne, Geneva, Switzerland.
Syria	Office of AID Representative, c/o American Embassy, Damascus, Syria Arab Republic.	Chare (Ave.) Al-Mansour, Abu, Rummanih, Damascus, Syria.
Taiwan	Office of AID Affairs, c/o American Embassy, Taipei, Taiwan.	No. 2 Chung Hsiao West Road, Second Section, Taipei, Taiwan.
Tanzania	USAID to the United Republic of Tanzania, c/o American Embassy, Dar es Salaam, Tanzania.	National Bank of Commerce Bldg. on City Drive, Dar es Salaam, Tanzania.
Thailand	USOM, c/o American Embassy, Bangkok, Thailand.	95 Wireless Road, Bangkok, Thailand.
Togo	Area Development Officer, c/o American Embassy, Niamey, Niger.	Rue Pelletier Caventor and rue Vauban, Lome, Togo.
Tunisia	USAID to Tunisia, c/o American Embassy, Tunis, Tunisia.	149 Aveneue de la Liberte, Tunis, Tunisia.
Turkey	USAID, PK 39, Cankaya, Ankara, Turkey.	Cinnah Caddesi, No. 16, Ankara, Turkey.
Upper Volta	AID Country Development Officer, c/o American Embassy, Ouagadougou, Upper Volta.	Boite Postale 35, Ouagadougou, Upper Volta.
Uruguay	Office of AID, Representative/Montevideo, c/o American Embassy, Montevideo, Uruguay.	Lauro Muller 1776, Montevideo, Uruguay.
Yemen	Office of AID Affairs, c/o American Embassy, Sana, Yemen.	American Embassy, Sana, Yemen Arab Republic.
Zaire	USAID to Republic of Zaire, c/o American Embassy, Kinshasa, Republic of Zaire.	310 Ave. des Aviateurs, Kinshasa, Zaire.

[40 FR 45679, Oct. 2, 1975, as amended at 45 FR 20790, Mar. 31, 1980]

INTERNATIONAL TRADE COMMISSION

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Employment and Financial Disclosure Records
Budgetary and Payroll-Related Records
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Appendix

System name: Employment and Financial Disclosure Records—U.S.I.T.C.

System location: Deputy Counselor for Employee Responsibilities and Conduct (Assistant to the General Counsel), Office of the General Counsel, United States International Trade Commission, 701 E Street, NW. Washington, D.C. 20436.

Categories of individuals covered by the system: 1. GS Employees: All current employees of the U.S.I.T.C. at grade 13 and above, or at a comparable pay level under other authority, and U.S.I.T.C. employees below GS-13, or at a comparable pay level under other authority, who are (1) responsible for making a decision or taking an action in regard to Commission contracting or procurement, (2) responsible for conducting investigative and research activities where the decision to be made or action to be taken could have an impact on any non-Federal enterprise, or (3) responsible for exercising the authority of any supervisory employee in the absence of such employee. Certain Commission employees within this class may not be required to file confidential statements of employment and financial disclosure if a determination is made pursuant to 19 CFR 200.735-114a that (1) the duties of the position are such that the likelihood of the incumbent's involvement in a conflict-of-interest situation is remote, or (2) that the duties of a position are at such a level of responsibility that the submission of a statement of employment and financial interests is not necessary because of the degree of supervision and review over the incumbent or the inconsequential effect on the integrity of the Government. In addition, U.S.I.T.C. employees not required to file confidential statements of employment and financial interests, but who wish to voluntarily file such statements, are included.

2. Special Employees: All special employees of the U.S.I.T.C. file a Confidential Statement of Employment and Financial Interests for Special Government employees. "Special Government Employee" is defined at 18 U.S.C. 202 and includes, but is not limited to, experts, consultants and advisors hired for temporary duties either on a full-time or intermittent basis.

Categories of records in the system: 1. GS Employees. This system of records consists of a confidential statement of employment and financial interests. Employees of the U.S.I.T.C. required to file this statement must list the names of all corporations, companies, firms, or other business enterprises, partnerships, non-profit organizations, and educational or other institutions: (a) With which the employee is connected as an employee, officer, owner, director, member, trustee, partner, advisor, or consultant; or (b) in which the employee has any continuing financial interests, through a pension or retirement plan, shared income, or other arrangement as a result of any current or prior employment or business or professional association; or (c) in which the employee has any financial interest through the ownership of stock, stock options, bonds, securities, or other arrangements including trusts.

An employee of the U.S.I.T.C. required to file this statement must also list the names of his creditors other than those to whom he may be indebted by reason of a mortgage on property which he occupies as a personal residence or to whom he may be indebted for current and ordinary household and living expenses such as household furnishings, automobiles, education, vacation and similar expenses.

Further, the U.S.I.T.C. employee required to file such a statement must list his interest in real property or rights in lands, other than property which he occupies as a personal residence. If any of the above information is to be supplied by other persons, e.g., trustee, attorney, accountant, relative, the employee must also list the names and addresses of such persons, the date upon which the employee requested that the information be supplied, and the nature of the subject matter involved.

2. Special Employees: This system of records consists of a confidential statement of employment and financial interests for special employees. The special employee must disclose all other federal agencies and other organizational segments of the U.S.I.T.C. in which he is presently employed. He must also name all corporations, companies, firms, State and local Governmental organizations, research organizations, and educational or other institutions in which he is serving as employee, officer, member, owner, trustee, director, expert, adviser, or consultant, with or without compensation.

The Special Employee must also disclose his financial interests by listing the names of all corporations, companies, firms, or other business enterprises, partnerships, non-profit organizations, and educational or other institutions in which he has any financial interest in any amount through the ownership of stock, stock options, bonds, securities, or other arrangements including trusts.

Authority for maintenance of the system: 1. The Confidential Statement of Employment and Financial Interests for GS-employees is required by section 402 of Executive Order 11222, dated May 8, 1965, prescribing standards of ethical conduct for Government officers and employees.

The confidential statement of employment and financial interest for special Government employees is required by section 306 of Executive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

a. By the Deputy Counselor for Employee Responsibilities and Conduct to determine whether or not an employee has a direct or indirect financial interest which conflicts substantially, or appears to conflict substantially, with his U.S.I.T.C. duties or responsibilities.

b. By the Deputy Counselor to determine whether a U.S.I.T.C. employee has engaged in, directly or indirectly, a financial transaction as a result of, or primarily relying on, information obtained through U.S.I.T.C. employment.

c. For review by the Deputy Counselor. The Deputy Counselor is responsible for maintaining these records in confidence and may not disclose information from these records to other persons or agencies except as the Civil Service Commission or the Chairman of the U.S.I.T.C. may determine for good cause shown.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in folders.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained.

Safeguards: These records are kept in a locked filing cabinet in the office of the Deputy Counselor for Employee Responsibilities and Conduct (Assistant General Counsel), who is normally the only official with authorized access to them. However, the Statements of Employment and Financial Interest of the Deputy General Counsel (Assistant General Counsel) and of his immediate superior (the General Counsel) are submitted directly to the Counselor for Employee Responsibilities and Conduct (one of the U.S.I.T.C. commissioners).

Retention and disposal: These records are maintained by the Deputy Counselor while the employee is at the U.S.I.T.C. and for 5 years after the employee has left the U.S.I.T.C. Thereupon these records are destroyed.

System manager(s) and address: Deputy Counselor for Employee Responsibilities and Conduct (Assistant General Counsel), Office of the General Counsel, United States International Trade Commission, 701 E Street, NW., Washington, D.C. 20436.

Notification procedure: Director, Personnel Division (same address as above).

Record access procedures: Director, Personnel Division (same address as above).

Contesting record procedures: Director Personnel Division (same address as above).

Record source categories: Information in this system is supplied by the individuals to whom the records pertain.

System name: Budgetary and Payroll-Related Records—U.S.I.T.C.

System location:

1. For all budgetary and payroll-related records:

Office of Financial Management, United States International Trade Commission, 701 E Street, NW, Washington, D.C. 20436.

2. For activity accounting sheets only:

Office of Automatic Data Processing (Same address as above).

Categories of individuals covered by the system:

1. Current U.S.I.T.C. employees (e.g. three-year budget cards).

2. Former U.S.I.T.C. employees (e.g. lump-sum leave payments records).

Categories of records in the system: This system of records consists of 16 identifiable sub-systems: (1) Action cards (of step increases and personnel actions); (2) three-year budget cards; (3) lump-sum leave payments; (4) reassignment and reclassification records; (5) overtime records; (7) financial statements; (8) leave without pay records; (9) records of separations; (10) records of new appointments; (11) the comprehensive payroll; (12) bond listing; (13) the master list of employees; (14) activity accounting sheets; (15) financial aid applications for non-government training; (16) travel vouchers and travel authorizations records.

(1) Action cards contain information as to the dates and amounts of step increases, salary adjustments and promotions.

(2) Three-year budget cards give an employee's basic salary for the preceding year, grade for the current year, dates and amounts of step increases, basic salary at the end of the current year, basic salary in the interim, the activity, division and grade number.

(3) Lump sum leave payments record the amount paid, the number of days involved and are indexed by name and date.

(4) Reassignment and reclassification records are indexed by name and include information on the date of increase, the annual rate, the accumulated increase, the added cost per pay period, the estimated cost, the accumulated cost and the division.

(5) Overtime records are indexed by division and by name and contain information as to an employee's social security number, grade and salary, and the number of hours overtime.

(6) Cost of intermittent employees and consultants records list the hours the individual worked and the amount paid.

(7) Financial statements contain information by division by name which is used in computing the budget.

(8) Leave without pay records list the cumulative amount by pay period and by names.

(9) Records of separations list the date, division, grade, annual salary, accumulated annual salary, rate per pay period, number of pay periods, fiscal year cost, accumulated fiscal year cost, and appointment action.

(10) Records of new appointments contain the same types of information as records of separations.

(11) The Comprehensive payroll lists an employee's gross pay, deductions, federal and state taxes, insurance, bonds, overtime, leave used and accumulated.

(12) The bond listing shows what an employee spent on bonds, the purchase price, denomination, the previous balance, the amount deducted each pay period.

(13) The master list of employees contains an employee's grade, current address, all deductions to pay, and the number of hours worked.

(14) Activity accounting sheets contain the employee's name, project number and title.

(15) Financial aid applications for non-government training contain the employee's name, course number, institution, course description, reimbursable costs, tuition, and a listing of all government-sponsored training at non-government facilities which the employee has taken for the past ten years.

(16) Travel vouchers and travel authorizations list expenses which an employee has incurred while traveling on U.S.I.T.C. business, dates, destinations and names.

Authority for maintenance of the system: 31 U.S.C. 1 et seq. O.M.B. Circular A-11, June, 1975.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used only for the purpose of computing the budget and keeping a record of certain employees expenses. Certain of these records are also routinely kept by GSA Disclosure of such records to C.S.C. auditors occurs periodically.

Routine uses of records maintained in this system shall include providing a copy of an employee's Department of the Treasury Form W-2, Wage and Tax Statement, to the State, city, or other local jurisdiction which is authorized to tax the employee's compensation. The record will be provided in accordance with a withholding agreement between the State, city, or other jurisdiction and the Department of the Treasury pursuant to 5 U.S.C. 5516, 5517, or in the absence thereof, pursuant to 5 U.S.C. 5516, 5517, or 5520, or in the absence thereof in response to a written request from an appropriate official of the taxing jurisdiction to the Chief of Financial Management, United States International Trade Commission, 701 E Street NW, Washington, D.C. 20436. The request must include a copy of the applicable statute or ordinance authorizing the taxation of compensation and should indicate whether the authority of the jurisdiction to tax the employee is based on place of residence, place of employment, or both.

Pursuant to a withholding agreement between a city and the Department of the Treasury (5 U.S.C. 5520), copies of executed city tax withholding certificates shall be furnished the city in response to a written request from an appropriate city official to the Chief of Financial Management, United States International Trade Commission, 701 E Street NW., Washington, D.C. 20436.

In the absence of a withholding agreement, the social security number will be furnished only to a taxing jurisdiction which has furnished only to a taxing jurisdiction which has furnished this agency with evidence of its independent authority to compel disclosure of the social security number, in accordance with Section 7 of the Privacy Act, Pub. L. 93-579.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on index cards or in file folders as the case may be. Activity accounting records are maintained in two locations within the agency: The Office of Financial Management and the Office of Automatic Data Processing. A.D.P. punches this information and feels it, via the U.S.I.T.C. terminal, into the computer for the District of Columbia government. U.S.I.T.C. records in the custody of the D.C. government are maintained on tape in lockable cabinets.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained. In certain instances the social security number and certain dates (e.g. date of step increase) are also used as identifiers.

Safeguards: These records are all kept in lockable metal filing cabinets or secured rooms. Only authorized employees are permitted access to them.

Retention and disposal: These records are maintained for as long as necessary to fulfill their purpose. For instance, activity accounting records are only useful in computing costs of activities for a particular fiscal year, hence, these records are disposed of, or, in the case of tapes, erased at the end of each year. Where a general records retention and disposal schedule or the records control schedules of the U.S.I.T.C. are applicable, such records are retained in accordance with the periods specified therin and are disposed of in accordance therewith.

System manager(s) and address: Chief, Office of Financial Management, United States International Trade Commission, 701 E Street, NW, Washington, D.C. 20436.

Notification procedure: Director, Office of Personnel and Management Systems (Same address as above).

Record access procedures: Director, Office of Personnel and Management Systems (Same address as above).

Record source categories: Information in this system largely comes from personnel forms completed by the individual and from the original comprehensive payroll, maintained by GSA.

System name: Time and Attendance Records—U.S.I.T.C.

System location:

Office of the Chairman
Office of the Vice-Chairman
Offices of the other Commissioners
Office of the Secretary
Office of the Executive Director
Office of Financial Management
Services Division
Office of the Special Advisor—Trade Agreements
Office of Economic Research
Office of the General Counsel
Office of Investigations
Office of A.D.P.
Office of Trade and Industry
Support Division
Accounting
Suitland Office
New York Office
Agriculture Division
Ceramics Division
Chemicals Division
Lumber and Paper Division
Metals Division
Sundries Division
Textiles Division
United States International Trade Commission, 701 E Street, NW, Washington, D.C. 20436.

Categories of individuals covered by the system: All Current employees of U.S.I.T.C.

Categories of records in the system: This system of records contains an employee's name, address, social security number, service computation date and leave category and is used to compute the employee's attendance by pay period. GSA Form 873 is used to compute attendance on an annual basis and contains information as to the amount of annual leave, sick leave, comp. leave, L.W.O.P., A.W.O.L., military leave and other leave used. GSA form 856-B is used to compute the same information for each two week pay period.

Authority for maintenance of the system: 5U.S.C. 6101. GSA Forms 873 and 856-B.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used for the purpose of computing time and attendance for U.S.I.T.C. employees. Such records are routinely sent to GSA, the agency which maintains the master records on federal employee attendance.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on the two forms as aforementioned.

Retrievability: These records are indexed by the name and social security number of the employees on whom they are maintained.

Safeguards: While these records are in the custody of the various division heads within the U.S.I.T.C., they are maintained in lockable metal filing cabinets or in secured rooms.

Retention and disposal: These records are retained and disposed of in accordance with general records schedules and the records control schedules, as applicable.

System manager(s) and address: Chief, Office of Financial Management, United States International Trade Commission, 701 E Street, NW, Washington, D.C. 20436.

Notification procedure: Director, Office of Personnel and Management Systems (Same address as above).

Record access procedures: Director, Office of Personnel and Management Systems (Same address as above).

Record source categories: The individual on whom the record is maintained supplies the data for this system.

System name: Grievance Records—U.S.I.T.C.

System location: The records are located in the Division of Personnel of the United States International Trade Commission.

Categories of individuals covered by the system: Current or former employees of the United States International Trade Commission (agency) who have submitted grievances in accordance with Part 771 of the regulations of the Office of Personnel Management (5 CFR Part 771) or through a negotiated grievance procedure.

Categories of records in the system: The system contains records relating to grievances filed by agency employees under Part 771 of regulations issued by the Office of Personnel Management. The case filed contain all documents related to the grievance, including statements of witnesses, reports of interviews and hearings, examiner's findings and recommendations, a copy of the original and final decisions, and related correspondence and exhibits. The system includes files and records of internal grievance and arbitration systems established through negotiations with recognized labor organizations.

Authority for maintenance of the system: 5 U.S.C. 1302, 3301, 3302, E.O. 10577, 3 CFR 1954–1958 Comp., p. 218, E.O. 10987, 3 CFR 1959-1963 Comp., p. 519, agency employees, for personal relief in a matter of concern or dissatisfaction which is subject to the control of agency management.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

a. To disclose pertinent information to the appropriate Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the agency becomes aware of an indication of a violation of potential violation of civil or criminal law or regulation.

b. To disclose information to any source from which additional information is requested in the course of processing a grievance, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and identify the type of information requested.

c. To disclose information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

d. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

e. To disclose information to another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

f. By the National Archives and Records Service (General Services Administration) in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

g. By the Commission or by the Office of Personnel Management in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

h. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel; the Federal Labor Relations Authority and its General Counsel, or the Equal Employment Opportunity Commission when requested in performance of their authorized duties.

i. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

j. To provide information to officials of labor organizations reorganized under the Civil Service Reform Act when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting work conditions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders.

Retrievability: These records are retrieved by the names of the individuals on whom they are maintained.

Safeguards: These records are maintained in lockable metal filing cabinets to which only authorized personnel have access.

Retention and disposal: These records are disposed of 3 years after closing of the case. Disposal is by shredding or burning.

System manager(s) and address: Director, Division of Personnel, United States International Trade Commission, 701 E Street NW., Washington, D.C. 20436.

Notification procedure: It is required that individuals submitting grievances be provided a copy of the record under the grievance process. They may, however, contact the agency personnel or designated office where the action was processed regarding the existence of such records on them. They must furnish the following information for their records to be located and identified:

a. Name.
b. Date of birth.
c. Approximate date of closing the case and kind of action taken.
d. Organizational component involved.

Record access procedures: It is required that individuals submitting grievances be provided a copy of the record under the grievance process. However, after the action has been closed, an individual may request access to the official copy of the grievance filed by contacting the agency personnel office.

Individuals must provide the following information for their records to be located and identified:

a. Name.
b. Date of birth.
c. Approximate date of closing of the case and kind of action taken.
d. Organizational component involved.

Individuals requesting access must also follow the Privacy Act regulations of the Office of Personnel Management regarding access to records and verification of identity (5 CFR 297.203 or 297.201).

Contesting record procedures: Review of requests from individuals seeking amendment of their records which have been the subject of a judicial or quasi-judicial action will be limited in scope. Review of amendment requests of these records will be restricted to determining if the record accurately documents the action of the agency ruling on the case, and will not include a review of the merits of the action, determination, or finding.

Individuals wishing to request amendment to their records to correct factual errors should contact the agency personnel office. Individuals must furnish the following information for their records to be located and identified:

a. Name.
b. Date of birth.
c. Approximate date of closing of the case and kind of action taken.
d. Organizational component involved.

Individuals requesting amendment must also follow the Privacy Act regulations of the Office of Personnel Management regarding amendment to the records and verification of identity (5 CFR 297.208 and 297.201).

Record source categories: Information in this system of records is provided:

a. By the individual on whom the record is provided.
b. By testimony of witnesses.
c. By agency officials.
d. From related correspondence from organizations or persons.

Appendix

In the event that a system of records maintained by this agency to carry out its functions indicates a violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a "routine use," to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a "routine use" to a Federal, State or local agency maintaining civil, criminal or other pertinent information, such as current licenses, if necessary, to obtain information relevant to an agency decision concerning the hiring or retention of any employee, the issuance of a security clearance, the letting of a contract or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of Federal personnel management.

A record from this system of records may be disclosed to officers and employees of a Federal agency for purposes of audit.

A record from this system of records may be disclosed to officers and employees of the General Services Administration in connection with administrative services provided to this agency under agreement with GSA.

Title 19-Customs Duties

Chapter II-United States International Trade Commission

PART 201—RULES OF GENERAL APPLICATION

Sec.

Subpart D—Safeguarding Individual Privacy Pursuant to 5 U.S.C. 552a

201.22 Purpose and scope.
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Subpart D—Safeguarding Individual Privacy Pursuant to 5 U.S.C. 552a

Authority: 5 U.S.C. 552a.

Source: 40 FR 47976, Oct. 10, 1975, unless otherwise noted.

§ 201.22 Purpose and scope.

The purpose of these regulations is to provide certain safeguards for an individual against an invasion of personal privacy by the United States International Trade Commission. These regulations are promulgated pursuant to the requirements for all Federal Agencies contained in 5 U.S.C. 552a(f).

§ 201.23 Definitions.

For the purpose of these regulations,

(a) The term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

(b) The term "maintain" includes maintain, collect, use, or disseminate;

(c) The term "record" means any item, collection, or grouping of information about an individual that is maintained by the Commission, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual;

(d) The term "system of records" means a group of any records under the control of the Commission from which information is retrieved by the name of the individual or by some identifying particular assigned to the individual;

(e) The term "Director of Personnel" refers to the Director, Office of Personnel and Management Systems, United States International Trade Commission, 701 E Street, NW., Washington, D.C. 20436, or his or her designee.

§ 201.24 Procedures for requests pertaining to individual records in a records system.

(a) A request by an individual to gain access to his or her record or to any information pertaining to him or her which is contained in the systems of records maintained by the Commission shall be addressed to the Director of Personnel, United States International Trade Commission, 701 E Street, NW., Washington, D.C. 20436, and shall indicate clearly both on the envelope and in the letter that it is a Privacy Act request.

(b) In order to facilitate location of requested records, the request of the individual shall name the systems of records maintained by the Commission which he or she believes contain records pertaining to him or her or shall reasonably describe the requested record.

(c) The Director of Personnel shall acknowledge receipt of a request within ten days (excluding Saturdays, Sundays, and legal public holidays), and wherever practicable, indicate whether or not access can be granted. If access is not to be granted, the requestor shall be notified of the reason.

(d) The Director of Personnel shall ascertain whether the systems of records maintained by the Commission contain records pertaining to the individual. Thereupon the Director of Personnel shall: (1) Notify the individual whether or not the requested record is contained in any system of records maintained by the Commission; and (2) notify the individual of the procedures as prescribed in §§ 201.25 and 201.26 by which the individual may gain access to those records maintained by the Commission which pertain to him or her. Access to the records will be provided within 30 days (excluding Saturdays, Sundays, and legal public holidays).

[41 FR 18810, May 7, 1976]

§ 201.25 Times, places, and requirements for identification of individuals making requests.

(a) It shall be the responsibility of the individual requester to arrange an appointment with the Director of Personnel for the purpose of inspecting individual records. The time of inspection shall be during the regular office hours of the Commission, 8:45 a.m. to 5:15 p.m., Monday through Friday. The time arranged should be mutually convenient to the requester and to the Commission.

(b) The place where an individual may gain access to records maintained by the Commission which pertain to him or her shall be at the United States International Trade Commission Building, 701 E Street, NW., Washington, D.C. 20436. The Director of Personnel shall inform the individual requester of the specific room wherein inspection will take place.

(c) An individual who requests to gain access to those records maintained by the Commission which pertain to him or her shall not be granted access to those records without first presenting adequate identification to the Director of Personnel. Adequate identification includes, but is not limited to, a government identification card, a driver's license, medicare card, a birth certificate, or a passport.

(d) Where the nature of the record or system of records permits and where the individual cannot view the records pertaining to him in person, the Director of Personnel may dispense with the requisites of §§ 201.25(a) and 201.25(b) and provide the individual with a copy of the record by certified mail.

§ 201.26 Disclosure of requested information to individuals.

(a) Assuming that the individual requester has met the adequate identification criterion of § 201.25(c), the Director of Personnel shall permit the individual to review the pertinent records and to have a copy made of all or any portion of them. Where specific exemptions within the purview of § 201.32(c) would render such records or portions thereof incomprehensible, the Director of Personnel shall furnish an abstract in addition to an actual copy.

(b) The individual has the right to have a person of his or her own choosing accompany him or her to review his or her records. The Director of Personnel shall permit a person of the individual requester's choosing to accompany the individual during inspection.

(c) When the individual requests the Director of Personnel to permit a person of the individual's choosing to accompany him or her during the inspection of his or her records, the Director of Personnel shall require the individual requester to furnish a written statement authorizing discussion of the records in the accompanying person's presence.

best copy available

(d) The Director of Personnel shall take all necessary steps to insure that individual privacy is protected while the individual requester is inspecting his or her records or while those records are being discussed. Only the Director of Personnel shall accompany the individual as representative of the Commission during the inspection of the individual's records. The Director of Personnel shall be authorized to discuss the pertinent records with the individual.

§ 201.27 Special procedures: Medical records.

(a) While an individual has an unqualified right of access to the records in systems of records maintained by the Commission which pertain to him or her, medical and psychological records merit special treatment because of the possibility that disclosure will have an adverse physical or psychological effect upon the requesting individual. Accordingly, therefore, in those instances where an individual is requesting the medical and/or psychological records which pertain to him or her, he or she shall, in his or her Privacy Act request to the Director of Personnel as called for in § 201.24(a), specify a physician to whom the medical and/or psychological records may be released.

(b) It shall be the responsibility of the individual requesting medical or psychological records to specify a physician to whom the requested records may be released. If an individual refuses to name a physician and insists on inspecting his or her medical or psychological records in the absence of a doctor's discussion and advice, the individual shall so state in his Privacy Act request to the Director of Personnel as called for in § 201.24(a) and the Director of Personnel shall provide access to or transmit such records directly to the individual.

§ 201.28 Request for correction or amendment of record.

(a) If, upon viewing his or her records, the individual disagrees with a portion thereof or feels sections thereof to be erroneous, the individual may request amendment(s) of the records pertaining to him or her. The individual should request such an amendment in writing. The request for amendment of records shall be addressed to the Director of Personnel, United States International Trade Commission, 701 E Street, NW., Washington, D.C. 20436, and shall clearly indicate both on the envelope and in the letter that it is a Privacy Act request for amendment of records.

(b) Not later than 10 days (Saturdays, Sundays, and Federal legal public holidays excluded) after the date of receipt of a Privacy Act request for amendment of records, the Director of Personnel shall acknowledge such receipt in writing. Thereupon, the Director of Personnel shall promptly either: (1) Make any correction of any portion of the record which the individual believes is not accurate, relevant, timely, or complete; or (2) inform the individual of the Director of Personnel's refusal to amend the record in accordance with the individual's request and give the reasons for the refusal. In cases where the Director of Personnel has refused to amend in accordance with an individual's request, he or she also shall advise the individual of the procedures under § 201.29 for the individual to request a review of that refusal by the full Commission or by an officer designated by the Commission.

§ 201.29 Commission review of request for correction or amendment to record.

(a) The individual who disagrees with the refusal of the Director of Personnel to amend the record may request a review of the refusal by the Commission. All requests for review of refusals to amend records should be addressed to the Chairman, United States International Trade Commission, 701 E Street NW., Washington, D.C. 20436, and shall clearly indicate both on the envelope and in the letter that it is a Privacy Act review request.

(b) Not later than 30 days (Saturdays, Sundays, and Federal legal public holidays excluded) from the date on which the Commission receives a request for review of the Director of Personnel's refusal to amend the record, the Commission shall complete such a review and make a final determination thereof unless, for good cause shown, the Commission extends the 30-day period.

(c) After the individual's request to amend his or her records has been reviewed by the Commission, if the Commission agrees with the Director of Personnel's refusal to amend the record in accordance with the individual's request, the Commission shall: (1) Notify the individual in writing of the Commission's decision; (2) advise the individual that he or she has the right to file a concise statement of disagreement with the Commission which sets forth his or her reasons for disagreement with the refusal of the Commission to amend the records; and (3) notify the individual of his or her legal right to judicial review of the Commission's final determination.

(d) In any disclosure, containing information about which the individual has filed a statement of disagreement, the Director of Personnel shall clearly note any portion of the record which is disputed and shall provide copies of the statement and, if the Commission deems it appropriate, copies of a concise statement of the reasons of the Commission for not making the amendments requested, to persons or other agencies to whom the disputed record has been disclosed.

§ 201.30 Commission disclosure of record to person other than the individual to whom it pertains.

(a) Except as is permitted under 5 U.S.C. 552a(b)(1)–(b)(11), it is the policy of the Commission not to disclose any record which is contained in any system of records maintained by the Commission to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains.

(b) Except for disclosures to those officers and employees of the Commission who have a need for the record in the performance of their duties and any disclosure required by 5 U.S.C. 552, the Director of Personnel shall keep an accurate accounting of: (1) The date, nature, and purpose of each disclosure of a record to any person or to another agency under paragraph (a) of this section; and (2) the name or address of the person or agency to whom the disclosure is made.

(c) The Director of Personnel shall retain the accounting required by § 201.30(b) for at least five years or the life of the record, whichever is longer, after such disclosure.

(d) Except for disclosures made to other agencies for civil or criminal law enforcement purposes pursuant to 5 U.S.C. 552a(b)(7), the Director of Personnel shall make any accounting made under § 201.30(b) available to the individual named in the record at the individual's request.

(e) Where the Commission has provided any person or other agency with an individual record and such accounting as required by § 201.30(b) has been made, the Director of Personnel shall inform all such persons or other agencies of any correction, amendment, or notation of dispute concerning said record.

§ 201.31 Fees.

(a) The Commission shall not charge any fee for the cost of searching for and reviewing an individual's records.

(b) Reproduction, duplication or copying of records by the Commission shall be at the rate of 10 cents per page. There shall be no charge, however, when the total amount does not exceed 50 cents.

§ 201.32 Specific exemptions.

(a) A system of records or a record which is specifically required by Executive order to be kept secret in the interest of national defense or foreign policy, pursuant to 5 U.S.C. 552(b)(1), shall be exempt from this subpart and from subsections (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f) of section 3 of the Privacy Act.

(b) Systems of records required by statute to be maintained and used solely as statistical records shall be exempt from this subpart and shall be exempt from subsections (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I) and (f) of section 3 of the Privacy Act.

(c) Personnel investigations records in the custody of the Security Officer of the Commission, which are compiled solely for the purpose of determining suitability, eligibility, or qualifications for Commission employment or access to classified information shall be exempt from this subpart and from subsections (c)(3), (d), (e)(4) (G), (H), and (I) and (f) of section 3 of the Privacy Act, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to government investigators under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence.

INTERSTATE COMMERCE COMMISSION

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32-20-001

System name: Operating Personnel Files (Nonpermanent Records), ICC.

System location: ICC Headquarters Bureaus and Offices, Washington, D.C., and Regional Detached Offices (49 CFR Part 1001).

Categories of individuals covered by the system: ICC employees.

Categories of records in the system: Working papers and documents developed during the course of an individual's employment which are not permanently retained. These will include the Standard Form 7B (OF 4B), Employee Record Card, and nonofficial records generally limited to information on experience, education, training, special qualifications and skills, position descriptions, performance appraisals and conduct. The Regional Managers' files may contain duplicate copies of official documents (SF 171, SF 50, e.c.).

Authority for maintenance of the system: Federal Personnel Manual Supplement 293-31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For the use of operating officials as a source of data to initiate requests for personnel actions, to plan and schedule employee training, to counsel employees on their performance, to establish a basis for proposing commendations or disciplinary actions, and to carry out their personnel management responsibilities in general. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in individual file folders.

Retrievability: Indexed by name.

Safeguards: Kept in locked file cabinets under direct control of responsible official.

Retention and disposal: Retained until employee leaves the agency through transfer or other separation and then forward to the Personnel Office where it is screened to insure that it contains no documents that should be permanently filed in the Official Personnel Folder, and then is destroyed.

System manager(s) and address:

Administrative Officer (Assistant), ICC
Headquarters Bureaus and Officers, Washington, D.C.
Regional Managers and Officer-in-charge—Detached Offices

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employees and their supervisors.

Systems exempted from certain provisions of the act: None.

32-20-002

System name: National Defense Executive Reserve Files, ICC.

System location: Recruitment and Assignment Files Bureau of Operations, Interstate Commerce Commission, 12th and Constitution Avenue, NW., Washington, D.C. 20423. Appointment Files Personnel Office, Interstate Commerce Commission, 12th and Constitution Avenue, NW., Washington, D.C. 20423.

Categories of individuals covered by the system: Letters and/or memorandums addressed to members of the Commission's National Defense Executive Reserve or to staff involving recruitment of reservists.

Categories of records in the system: Letters, Memorandum or NDER Forms 1, 2, and 3, or Form BOp D11 concerning reservists' assignments or responsibilities in connection with the National Defense Executive Reserve program, letters of appointment and statement of understanding.

Authority for maintenance of the system: EO 11179 and EO 11490.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Maintaining management control system of the Commission's membership and staff responsibilities in connection therewith and of individuals selected to participate in the National Defense Executive Reserve program. The information in this system of records will be exchanged as a matter of routine use with the Federal Preparedness Agency, General Services Administration, in connection with both agencies' responsibilities for administering the National Defense Executive Reserve and Emergency Preparedness programs, assigned by Executive Orders Nos. 11179, dated September 22, 1964, and 11490, dated October 30, 1969. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulations, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and card file, 3 inch x 5 inch cards, basic control of quarterly computer printouts, membership listing of National Defense Executive Reserves, listing names, addresses and employment information about each reservist.

Retrievability: Files maintained by individual name.

Safeguards: Kept in locked file cabinets under control of responsible official.

Retention and disposal: Permanent for card file; correspondence and rosters, etc., three-year active file and then destroyed.

System manager(s) and address:

Recruitment and assignment files
Bureau of Operations
Assistant to the Director
Interstate Commerce Commission
12th and Constitution Avenue, NW.,
Washington, D.C. 20423

Appointment files
Director of Personnel
Interstate Commerce Commission
12th and Constitution Avenue, NW.,
Washington, D.C. 20423

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee.

Systems exempted from certain provisions of the act: None.

32-20-003

System name: Unit Medical Records, ICC.

System location: Occupational Health Unit, ICC 12th and Constitution Avenue, NW., Washington, D.C. 20423.

Categories of individuals covered by the system: ICC employees.

Categories of records in the system: Contains employee's name, date of birth, address, telephone number, Bureau or Office where employed, name of person to contact in case of emergency, name of employee's personal physician. Nurse's Notes visits and treatment in the Health Unit, records pertaining to blood donations and individual records of physical examinations, laboratory test results, x-rays and other individual health records with pertinent medical opinions.

Authority for maintenance of the system: Federal Personnel Manual Supplement 792-1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Maintained expressly for the well-being of employees in relation to work assignments. For use of Director of Personnel in providing counseling services to employees and agency officials. In the event that a system of records maintained by this agency to carry its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. The information contained in the system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in individual file folders.

Retrievability: Indexed by name.

Safeguards: Kept in locked file, with access only by the Occupational Health Nurse and/or Physician.

Retention and disposal: Retained unit one year after the employee leaves the agency, and then destroyed. Upon separation, will be given to employee at his request or to his personal physician, if so desired.

System manager(s) and address:

Occupational Health Nurse
Room 1414
Interstate Commerce Commission
12th and Constitution Avenue, NW.,
Washington, D.C 20423

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee.

Systems exempted from certain provisions of the act: None.

32-20-004

System name: Automated Personnel and Payroll System, ICC.

System location: Section of Systems Development, ICC, 12th and Constitution Avenue, NW, Washington, D.C. 20423.

Categories of individuals covered by the system: ICC employees.

Categories of records in the system: Contains the name, social security number, employee number, date of birth, employment status, leave status, pay status, tax status, insurance status, saving bond and charity deductions, time and attendance data, and the organization of each ICC employee.

Authority for maintenance of the system: 49 U.S.C. 12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: File is used for the: Transfer of information to the Internal Revenue Service for wage, levy and tax requirements—transfer of information to the Treasury Department for completion of payroll processing—transfer of information to the American Federation of Government Employees, Graphic Arts International Union, and the Professional Association of the ICC for the processing of union dues—transfer of information to state and city revenue offices for tax unemployment processing—transfer of information to the Civil Service Commission for personnel requirements—employee separation and retirement processing—employee time attendance accounting—employee salary payment and deduction control—employee bond, charity and health benefits processing—employee leave control—employee parking assignment control—employee telephone directory—employee personnel action processing and control—Commission budget planning, monitoring and control—creation of internal management reports, summaries and work files which are located throughout the agency.

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute of particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcement implementing the statute, or rule, regulation or order issued pursuant thereto.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance as set forth in legislative coordination and clearance process as set forth in that Circular.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on magnetic tape.

Retrievability: Indexed by social security number.

Safeguards: Stored in secure computer facility under the supervision of the tape librarian.

Retention and disposal: Fifty-two week retention for files. A five-year retention period for year-end files. At the end of each of these periods, files are destroyed.

System manager(s) and address:

Chief Section of Systems Development
Room B-411
Interstate Commerce Commission
12th and Constitution Avenue, NW.,
Washington, D.C.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee.

Systems exempted from certain provisions of the act: None.

32-20-005

System name: Case Status System (Formal Case Control), ICC.

System location: Section of System Development, ICC 12th and Constitution Avenue, NW., Washington, D.C. 20423

Categories of individuals covered by the system: Administrative Law Judges and Attorney-Advisers who have been assigned to work on cases before the Commission—parties of record and parties to be advised of all proceedings.

Categories of records in the system: Contains the various processing stages that case passes through as it is reviewed by the Commission—contains Administrative Law Judge and Attorney-Adviser names who are responsible for various processing stages of the case—contains the names of parties of record and parties to be advised of all proceedings—contain hearing locations, when applicable—contains carrier identity.

Authority for maintenance of the system: Commission directive.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Provides identification of all pending cases before the Commission—identifies older cases to expedite processing—identifies cases with normal time allowances—provides an area being processed within inventory of pending cases by stage of processing—identifies the responsible Administrative Law Judge or Attorney-Adviser and organizational unit responsible for various stages of case processing—identifies parties of record and parties to be advised of all proceedings for a given case—used to produce management reports located throughout the agency. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on magnetic tape and computer disk files.

Retrievability: Indexed by case and carrier identity and Administrative Law Judge or Attorney-Adviser name.

Safeguards: Stored in secure computer facility. Data base access is under the supervision of a data base administrator.

Retention and disposal: Records are maintained on each case until it has been decided. The record is then transferred to an inactive history file for permanent retention.

System manager(s) and address:

Chief, Section of System Development
Room B-411
Interstate Commerce Commission
12th and Constitution Avenue, NW,
Washington, D.C. 20423

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Carrier(s) involved, and commission staff.

Systems exempted from certain provisions of the act: None.

32-20-006

System name: Correspondence and Management Control, ICC.

System location: ICC Headquarters Bureaus and Offices Washington, D.C., and Regional Detached Offices (49 CFR Part 1001).

Categories of individuals covered by the system: Names of assignments with a control slip, including due dates for either individuals or sections within various organizational elements of the Commission covering letters, memoranda, or other inquiries for which responsibility to reply exists, normal business production transactions, time frames, on special projects, and all aspects of overall correspondence and workload control, as well as individual signed records for government property accountability.

Categories of records in the system: The overall Commission performance monitoring system incoporates a series of subsystems which identity the various measurements of productivity which are implicit in the operation of the Commission. Maintenance of records on the performance and the production of Branches, Sections, Offices and individual employees is necessary to enable the Commission effectively manage its work load. These records include the names of individuals assigned to specific activities, the dates of assignments, dates products received, name of signer for correspondence which is going out, and general evaluation criteria of the individual performance of the element being monitored.

Authority for maintenance of the system: 49 U.S.C. 12, 18

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Control of the production of the total employee force of the Interstate Commerce Commission and assurance that productivity is achieved by the employees assigned individual organizational elements. Additionally, to maintain a suspense on specific actions being levied upon an individual to assure that the response is timely, as well as qualitative. Used for control of government property assuring individual accountability.

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in the Circular.

Disclosure may be made to a congressional office from the record of an individual in respose to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Both card, suspense special forms, and computer-related assignment records, are maintained to control the overall system. Maintained in sequence by the organizational element and/or the individual assigned to a special task, as well as cross-referenced by the number of the task involved.

Safeguards: Maintained at supervisory levels on an informal basis with access prohibited outside of the Commission.

Retention and disposal: One-year active operation and subsequently destroyed.

System manager(s) and address:

Managing Director
Interstate Commerce Commission
Room 2118
12th and Constitution Avenue, NW,
Washington, D.C. 20423

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee.

Systems exempted from certain provisions of the act: None.

32-20-007

System name: Consumer Complaint System, ICC.

System location: Public Information and Consumer Affairs Office, ICC, 12th and Constitution Avenue, NW, Washington, D.C. 20423. Headquarters, ICC Bureau and Offices, and Regional Detached Offices (49 CFR Part 1001).

Categories of individuals covered by the system: Letters received from consumers and/or shippers regarding the operation of the ICC or carriers subject to its regulations.

Categories of records in the system: These records include letters on virtually every subject. They are concentrated in three areas: Complaints from individual consumers on household goods shipments, complaints from travelers on rail passenger facilities, and complaints from passengers on motor passenger facilities. Additionally, information on general subjects of the operation of the Interstate Commerce Commission and, specifically, shipper complaints against carrier practices and/or tariffs are included in overall complaint files. Files generally are accessed by name of individual complaining or subject of the complaint or name of the carrier against which the complaint is tendered. Notice is given that when complaints generate an investigative file portions of this overall file are extracted and exempted under the provisions and notice provided in the publication of ICC VIII, Preliminary Investigative Files, and ICC IX, Inforcement Files.

Authority for maintenance of the system: 49 U.S.C. 12, 18.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to complaints from individuals, to correlate information received from individuals to assure policies are developed supporting the overall public interest in the regulatory process, to provide information to carriers relative to shortcomings they are experiencing, and take informal compliance action, as well as to transfer the files to formal investigative or enforcement action, when justified. This is a public file available for public review under the terms of the Freedom of Information Act. Individuals submitting special complaint correspondence to the Commission, unless identifying their desire to remain anonymous, will not be protected from disclosure of the information contained within the complaint letter. In the event that a system of records maintained by this agency to carry its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in ths system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In conventional file cabinets, alphabetically, by sender, and potentially by subject of complaint, dispersed for filing to office have primary operational use.

Retrievability: Maintained in alphabetical order, by complainant, with potential cross-index for identification of entity against which the complaint has been made, and further cross-reference by subject of complaint.

Safeguards: Minimal, since the files are public in nature.

Retention and disposal: Maintained for approximately two years and then destroyed.

System manager(s) and address:

Public Information Officer, ICC
12th and Constitution Avenue, NW, Washington, D.C. 20423

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Consumers and/or shippers.

Systems exempted from certain provisions of the act: None.

32-20-008

System name: Preliminary Investigative Files, ICC.

System location: Bureau of Operations, Interstate Commerce Commission, 12th and Constitution Avenue, NW, Washington, D.C. 20423, and Regional Detached Offices (49 CFR Part 1001).

Categories of individuals covered by the system: Suspected violators of the Interstate Commerce Act or ICC orders or regulations.

Categories of records in the system: These files contain information indicating or alleging that an individual or entity could be in violations of the Interstate Commerce Act. Such records could be arrest records from the various states received pursuant to Pub. L. 89-170, which allows cooperative agreements between the states and this Commission in the provision of information. For example, these files could contain warning letters involving alleged violations, miscellaneous correspondence, newspaper clippings, records of contacts with entities or individuals by Commission personnel, copies of preliminary investigation reports, and prior enforcement actions taken by the Interstate Commerce Commission or the courts because of violations of the Interstate Commerce Act.

Authority for maintenance of the system: 49 U.S.C. 12

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used employees of the Interstate Commerce Commission to administer the Act, increase compliance with orders, regulations and statutes for the regulation of surface transportation, and initiate appropriate enforcement action.

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

Disclosure may be made to a congressional office from the record of an a individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in individual file folders.

Retrievability: Indexed by name of entity of individual.

Safeguards: Kept in locked file cabinets under direct control of responsible official.

Retention and disposal: Maintained for a minimum of five years and then destroyed.

System manager(s) and address:

Washington, D.C.
Director, Bureau of Operations
Room 7115
Interstate Commerce Commission
12th and Constitution Ave. NW,
Washington, D.C. 20423
Regional Detached Offices:
Regional Managers (49 CFR Part 1001)
Field Offices:
Officers in Charge (49 CFR 1001)

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Author of letters.

Systems exempted from certain provisions of the act: Under the provisions of Section (j)(2), this file is exempted from any part of Section 5 U.S.C. 552(a), except Subsections (b), (c) (1), and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10), and (11), and (i). This material is collected in the process of investigating all potential violations of the Interstate Commerce Act, whether civil or criminal, and is exempted for the reasons expressed in 5 U.S.C. 552(b)(7). Under the provisions of Section (k)(2), this file is exempted from Subsections (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f). This material is collected in the process of investigating all potential violations of the Interstate Commerce Act, whether civil or criminal, and is exempted for the reasons expressed in 5 U.S.C. 552(b)(7).

32-20-009

System name: Investigative and Enforcement Records, Cross-Indexed, ICC.

System location: Bureau of Enforcement (cross-indexed and central file) Interstate Commerce Commission, 12th and Constitution Avenue, NW, Washington, D.C. 20423, and ICC Regional Offices (investigative files with assigned geographical jurisdiction).

Categories of individuals covered by the system: Individual, corporation, partnership or sole proprietorship, subject to enforcement actions being taken by the Interstate Commerce Commission as a result of preliminary investigations.

Categories of records in the system: The central cross-index contains the name and address of individual, partnership, corporation, or sole proprietorship, and includes a cross-reference to the enforcement file containing the investigative reports, as well as other information gathered as part of the criminal prosecution and/or civil forfeiture action. The basic cross-reference file does not contain significant information other than the name and address of the entity involved, but the cross-reference to the investigative file, which is maintained by case number, does provide access based upon individual name. Individual investigative and enforcement files are maintained by enforcement file number, both at Headquarters and Regions.

Authority for maintenance of the system: 49 U.S.C 12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to monitor and control the progress of enforcement actions, both within the Commission for civil forfeitures and in relationship with the Department of Justice on those actions that are going through the courts. The central cross index is the only practical method for access to the appropriate file based upon any individual identifier. Actual file information is used for prosecution of civil and criminal actions. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant, records in the system of records may be referred as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, or regulation or order issued pursuant thereto. The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in

OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on folding 5 inch by 8 inch index cards.

Retrievability: Indexed by individual, partnership, corporation, or sole proprietorship (index). Actual files retrieved by enforcement file number.

Safeguards: Stored in a special room of the Bureau of Enforcement with Commission employees present during all duty hours (index).

Retention and disposal: Cards are maintained in the active cross-reference and indexing file while the file is open and transferred to the closed card section after the file is concluded.

System manager(s) and address:

Assistant Director
Bureau of Enforcement
Interstate Commerce Commission
12th and Constitution Avenue, NW,
Washington, D.C. 20423

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Preliminary investigative files (ICC VIII).

Systems exempted from certain provisions of the act: Under the provisions of Section (j)(2), this file is exempted from any part of Section 5 U.S.C. 552(a) except Subsections (b), (c) (l) and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10) and (11), and (i). This material is collected in the process of investigating all potential violations of the Interstate Commerce Act, whether civil or criminal, and is exempted for the reasons expressed in 5 U.S.C. 552(b)(7). Under the provisions of Section (k)(2) this file is exempted from Subsections (c)(3), (d), (e)(4)(G), (l) and (f). This material is collected in the process of investigating all potential violations of the Interstate Commerce Act, whether civil or criminal, and is exempted for the reasons expressed in 5 U.S.C. 552(b)(7).

32-20-010

System name: ICC Employee Parking Permit Applications for Carpools, ICC.

System location: Section of Administrative Services, ICC, 12th and Constitution Avenue, NW, Washington, D.C. 20423.

Categories of individuals covered by the system: All individuals applying for, or assigned, parking facilities.

Categories of records in the system: ICC Form MD-21, Revised March 1975, Interstate Commerce Commission, Application for Parking Space, Contents: Carpool member names, home address, office telephone number, bureau or office, service computation date, vehicle license number, distance between residence and ICC and the name of the employer.

Authority for maintenance of the system: FDMR Temporary Regulations D-47, May 22, 1974.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Use is to maintain control of assigned parking spaces. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order is issued pursuant thereto. The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on 5 inch by 8 inch cards.

Retrievability: Indexed by location of parking space, number of carpool members and order of parking permit number.

Safeguards: Secured in locked metal, lateral file cabinet under the supervision of the space and services unit.

Retention and disposal: Cards are maintained for a three-year period and then discarded.

System manager(s) and address.

Chief, Building Services, Space Management Branch
Room 1315
Interstate Commerce Commission
12th and Constitution Avenue, NW,
Washington, D.C. 20423

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individuals seeking parking facilities.

Systems exempted from certain provisions of the act: None.

32-20-011

System name: ICC Indentification System File.

System location: Interstate Commerce Commission, Section of Administrative Services, 12th and Constitution Avenue, NW, Washington, D.C. 20423.

Categories of individuals covered by the system: A. All ICC Headquarters employees.

B. All nongovernment employees requiring access to office space occupied in the ICC Headquarters Building in Washington, D.C.
C. All ICC employees issued investigative credentials.

Categories of records in the system: A. Name, date of birth, social security number.

B. Name, organization (firm), social security number.
C. Name, title, Bureau or Office, credential number.

Authority for maintenance of the system: 49 CFR 1000.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Control of ICC Identification System. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, to relevant records in the system of records may be referred, as a routine use, to the appropriate agency whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: A. 8 inch by 10 inch log book. B. 5 inch by 8 inch sheets. C. 5 inch by 8 inch sheet.

Retrievability: A. Indexed by date issued. B. Indexed by organization and date issued. C. Indexed by Bureau or Office and credential number.

Safeguards: All three segments of the identification system are stored in the Section of Administrative Services under the supervision of the Space and Services Unit.

Retention and disposal: A. Maintained two years after completion of log book, then destroyed. B. Maintained for two years after which cards are destroyed. C. Maintained until credential is returned and destroyed or marked retired upon separation of employee. Inactive records are stored two years and discarded.

System manager(s) and address:

Chief, Building Services, Space Management Branch
Section of Administrative Services
Interstate Commerce Commission
12th and Constitution Avenue, NW,
Washington, D.C. 20423

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee.

Systems exempted from certain provisions of the act: None.

32-20-012

System name: Employee Travel Records, ICC.

System location: Budget and Fiscal Office, ICC, 12th and Constitution Avenue, NW, Washington, D.C. 20423.

Categories of individuals covered by the system: ICC employees.

Categories of records in the system: The record consists primarily of a series of standard and Commission forms and index file cards designed to record pertinent travel information. The information usually includes the employee's name, address, and organization, the mode, purpose, dates and places of travel, the method and amount of reimbursement and the amount of travel advance outstanding.

Authority for maintenance of the system: 49 U.S.C. 18.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records are available for any use by any person. The Commission uses these records to establish approval for travel on official business, the reimbursement of the employee for approved expenses, control of annual budget estimates, input to the Commission's internal accounting system and periodic and special reports required by agencies outside the Commission, and the compilation of information for internal management purposes. Portions of the file are made available to Commission management personnel for monitoring assigned functional and geographical areas of responsibility. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in individual file folders.

Retrievability: Indexed by employee name.

Safeguards: Kept in locked file cabinet under supervision of Budget and Fiscal Officer.

Retention and disposal: Records are destroyed in accordance with GSA retention schedules.

System manager(s) and address:

Chief, Budget and Fiscal Office
Room 1330
Interstate Commerce Commission
12th and Constitution Avenue, NW,
Washington, D.C. 20423.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee.

Systems exempted from certain provisions of the act: None.

32-20-0013

System name: Identification and Measurement of Minority and Female Owned Motor Carriers.

System location: ICC Headquarters, Washington, D.C.

Categories of individuals covered by the system: Minority and female owned motor carriers.

Categories of records in the system: Questionnaires are mailed to all ICC regulated carriers and to each new applicant for authority. This data is compiled into a register which serves as a useful means of communicating with minority firms already in or interested in entering the trucking business.

Authority for maintenance of the system: 5 U.S.C. 553 and 49 U.S.C. 10101 and 10321.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This information will be made available to the Commission and the Congress, as well as to other agencies and organizations, to assist in designing and delivering programs to address the specific needs of these firms. Participation in this data collection program is voluntary.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on magnetic tape.

Retrievability: Indexed by name.

Safeguards: Kept in locked file cabinet under direct control of responsible official.

Retention and disposal: To be retained for an unlimited period of time.

System manager(s) and address: Chief Section of Systems Development, B-411, Interstate Commerce Commission, 12th and Constitution Avenue NW., Washington, D.C. 20423.

Notification procedure: Same as above

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Licensees and applicants.

Systems exempted from certain provisions of the act: None.

Title 49-Transportation

Sutitle IB-Other Regulations Relating to Transportation

Chapter X-Interstate Commerce Commission

PART 1007—RECORDS CONTAINING INFORMATION ABOUT INDIVIDUALS

Sec.
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Authority: Secs. 552, 553, and 559, Administrative Procedure Act (5 U.S.C. 552, 553 and 559).

Source: 41 FR 3087, Jan. 21, 1976, unless otherwise noted.

§ 1007.1 Purpose and scope.

(a) This part contains the rules of the Interstate Commerce Commission implementing the Privacy Act of 1974 (5 U.S.C. 552a). These rules apply to all records maintained by this Commission which are not excepted or exempted as provided for in § 1007.12, insofar as they contain personal information concerning an individual, identify that individual by name or other symbol and are contained in a system of records from which information is retrieved by the individual's name or identifying symbol. Among the primary purposes of these rules are to permit individuals to determine whether information about them is contained in Commission files and, if so, to obtain access to that information; to establish procedures whereby individuals may have inaccurate and incomplete information corrected; and, to restrict access by unauthorized persons to that information.

(b) In this part the Commission is also exempting certain Commission systems of records from some of the provisions of the Privacy Act of 1974 that would otherwise be applicable to those systems.

§ 1007.2 Definitions.

As used in this part:

"Commission" means the Interstate Commerce Commission.

"Chairman" means the Presidentially appointed Commissioner who is the administrative head of the Interstate Commerce Commission.

"Privacy Officer" refers to the individual designated to process requests and handle various other matters relating to the Commission's implementation of the Privacy Act of 1974.

"Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence.

"Maintain" means the maintenance, collection, use, or dissemination (of records).

"Record" means any item, collection or grouping of information about an individual that is maintained by an agency, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph.

"Statistical Record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided by section 8 of Title 13 of the United States Code.

"System of records" means a group of any records under the control of the Commission retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

"Routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose of which the record was compiled.

"Agency" means any executive department, military department, Government corporation, Government-controlled corporation or other establishment in the Executive Branch of the Government or any independent regulatory agency.

§ 1007.3 Requests by an individual for information or access.

(a) Any individual may request information on whether a system of records maintained by the Commission contains any information pertaining to him or her, or may request access to his or her record or to any information pertaining to him or her which is contained in a system of records. All requests shall be directed to the Privacy Officer, Office of the Managing Director, Interstate Commerce Commission, Twelfth Street and Constitution Avenue NW, Washington, D.C. 20423.

(b) A request for information or for access to records under this part may be made by mail or in person. The request shall: (1) Be in writing and signed by the individual making the request; and, (2) include the full name of the individual seeking the information or record, along with his or her home and business addresses and telephone numbers.

(c) For each system of records from which information is sought, the request shall: (1) Specify the title and identifying number as it appears in the system notice published by the Commission; (2) provide such additional identifying information, if any, as may be required by the system notice; (3) describe the specific information or kind of information sought within that system of records; and, (4) set forth any unusual arrangements sought concerning the time, place, or form of access.

(d) The Commission will respond in writing to a request made under this section within ten days (excluding Saturdays, Sundays and legal public holidays) after receipt of the request. If a definitive reply cannot be given within ten days, the request will be acknowledged and an explanation will be given of the status of the request.

(e) The individual either will be notified in writing of where and when he or she may obtain access to the records requested or will be given the name, address and telephone number of the member of the Commission staff with whom he or she should communicate to make further arrangements for access.

§ 1007.4 Procedures for identifying the individual making the request.

When a request for information or for access to records has been made pursuant to § 1007.3, before information is given or access is granted pursuant to § 1007.5 of these rules, the Commission shall require reasonable identification of the person making the request to insure that information is given and records are disclosed only to the proper person.

(a) An individual may establish his identity by:

(1) Submitting with his written request for information or for access to photocopy, two pieces of identification bearing his or her name and signature, one of which shall bear his or her current home or business address; or

(2) Appearing at any office of the Commission during the regular working hours for that office and presenting either:

(i) One piece of identification containing a photograph and signature, such as a driver's license or passport, or, in the case of a Commission employee, his or her ICC identification card; or

(ii) Two pieces of identification bearing the individual's name and signature, one of which shows the individual's current home or business address; and

(3) Providing such other proof of identity as the Commission deems satisfactory in the circumstances of a particular request.

(b) Nothing in this section shall preclude the Commission from requiring additional identification before granting access to the records if there is reason to believe that the person making the request may not be the individual to whom the record pertains, or where the sensitivity of the data may warrant.

(c) The requirements of this subsection shall not apply if the records involved would be available to any person under the Freedom of Information Act.

§ 1007.5 Disclosure of requested information to individuals; fees for copies of records.

(a) Any individual who has requested access to his or her record or to any information pertaining to that individual in the manner prescribed in § 1007.3 and has identified himself or herself as prescribed in § 1007.4 shall be permitted to review the record and have a copy made of all or any portion thereof in a form comprehensible to the individual, subject to fees for copying services set forth in paragraph (f) of this section. Upon request, persons of the individual's own choosing may accompany the individual, provided that the individual has furnished a written statement authorizing discussion of his or her record in the accompanying person's presence.

(b) Access will generally be granted in the office of the Commission where the records are maintained during normal business hours, but for good cause shown the Commission may grant access at another office of the Commission or at different times for the convenience of the individual making the request. When a request for access is from a Commission employee, this request may be granted by forwarding the information desired through registered mail, return receipt requested.

(c) Where a document containing information about an individual also contains information not pertaining to him or her, the portion not pertaining to the individual shall not be disclosed except to the extent the information is available to any person under the Freedom of Information Act. If the records sought cannot be provided for review and copying in a meaningful form, the Commission shall provide to the individual a summary of the information concerning the individual contained in the record or records which shall be complete and accurate in all material aspects.

(d) Where the disclosure involves medical records, the Privacy Officer may determine that such information will be provided only to a physician designated by the individual.

(e) Requests for copies of documents may be directed to the Privacy Officer or to the member of the Commission's staff through whom arrangements for access were made.

(f) Fees for copies of records shall be charged at the rate of 10 cents per letter-size or legal-size exposure duplicated electrostatically. Fees for requests requiring the use of a computer shall be charged at the actual cost for machine time. Payment should be made by check or money order payable to the Treasury of the United States. When it is determined to be in the best interest of the public, the Privacy Officer may waive the fee provision.

(g) Nothing in this subsection or in § 1007.3 shall:

(1) Require the disclosure of records exempted under § 1007.12 of these rules, including the exemption relating to investigative records;

(2) Allow an individual access to any information compiled in reasonable anticipation of a civil action or proceeding or a criminal proceeding; or,

(3) Require the furnishing of information or records which in the regular course of business cannot be retrieved by the name or other identifier of the individual making the request.

§ 1007.6 Disclosure to third parties.

(a) The Commission shall not disclose to any agency or to any person by any means of communication a record pertaining to an individual which is contained in a system of records, except under the following circumstances:

(1) The individual to whom the record pertains has given his written consent to the disclosure;

(2) The disclosure is to officers and employees of the Commission who need it in the performance of their duties;

(3) Disclosure is required under the Freedom of Information Act (5 U.S.C. 552).

(4) Disclosure is for a routine use as defined in § 1007.2 of these rules and described in the system notice for that system of records;

(5) The disclosure is made to the Bureau of the Census for the purposes of planning or carrying out a census or survey or related activity;

(6) The disclosure is made to a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(7) The disclosure is made to another agency or to an instrumentality of any Governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law and if the head of the agency or instrumentality has made a written request to the Commission specifying the particular portion desired and the law enforcement activity for which the record is sought;

(8) The disclosure is made to the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value.

(9) The disclosure is made to a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

(10) The disclosure is made to either House of Congress, or, to the extent of matter(s) within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(11) The disclosure is made to the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or,

(12) Pursuant to the order of a court of competent jurisdiction.

(b) The Commission, with respect to each system of records under its control, shall keep for at least five years an accurate accounting of certain disclosures:

(1) A record shall be kept of all disclosures made under paragraph (a) of this section, except disclosures made with the consent of the individual to whom the record pertains (paragraph (a)(1) of this section), disclosures to authorized employees (paragraph (a)(2) of this section), and disclosures required under the Freedom of Information Act (paragraph (a)(3) of this section).

(2) The record shall include:

(i) The date, nature, and purpose of each disclosure of a record made to any person or to another agency;

(ii) The name and address of the person or agency to whom the disclosure was made.

(c) The accounting described in paragraph (b) of this section will be made available to the individual named in the record upon his written request, directed to the Privacy Officer, Interstate Commerce Commission, Twelfth Street and Constitution Avenue NW., Washington, D.C. 20423, except that the accounting will not be revealed with respect to disclosures made under paragraph (a)(7) of this § 1107.6 pertaining to law enforcement activity, and will not be maintained as to disclosures involving systems of records exempted under § 1007.12.

(d) Whenever an amendment or correction of a record or a notation of dispute concerning the accuracy of records is made by the Commission in accordance with §§ 1007.8 and 1007.9, the Commission will inform any person or other agency to whom the record was previously disclosed, if an accounting of the disclosure was made pursuant to the requirements of paragraph (b) of this section.

§ 1007.7 Content of systems of records.

(a) The Commission will maintain in its records only such information about an individual as is relevant and necessary to accomplish the purposes of the Interstate Commerce Act and other purposes required to be accomplished by statute or by Executive Order of the President.

(b) The Commission will maintain no record describing how any individual exercises rights guaranteed by the First Amendment of the United States Constitution unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity.

(c) The Commission will collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privileges under Federal programs.

(d) The Commission will maintain all records which are used by the Commission in making any determination about any individual with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in the determination.

§ 1007.8 Amendment of a record.

(a) Any individual may request amendment of information pertaining to him which is contained in a system of records maintained by the Commission and which is filed under his name or other individual identifier if he believes the information is not accurate, relevant, timely or complete. A request for amendment shall be directed to the Privacy Officer.

(b) A request for amendment may be made by mail or in person and shall: (1) Be in writing and signed by the person making the request; (2) describe the particular record to be amended with sufficient specificity to permit the record to be located among those maintained by the Commission; and (3) specify the nature of the amendment sought and the justification for the requested change. The person making the request may be required to provide the information specified in §§ 1007.3 and 1007.4 in order to simplify identification of the record and permit verification of the identity of the person making the request for amendment.

(c) Receipt of a request for amendment will be acknowledged in writing within ten days (excluding Saturdays, Sundays and legal public holidays); except that if the individual is given notice within the ten-day period that his or her request will or will not be complied with, no acknowledgement is required.

(d) Assistance in preparing a request to amend a record may be obtained from the Privacy Officer, Office of the Managing Director, Interstate Commerce Commission, Twelfth Street and Constitution Avenue NW., Washington, D.C. 20423.

(e) Upon receipt of a request for amendment the Privacy Officer or a person designated by him shall promptly determine whether the record is materially inaccurate, incomplete, misleading, or is irrelevant or not timely, as claimed by the individual, and, if so, shall cause the record to be amended in accordance with the individual's request.

(f) If the Privacy Officer or designee grants the request to amend the record, the individual shall promptly be advised of the decision and of the action taken, and notice shall be given of the correction and its substance to each person or agency to whom the record had previously been disclosed, as shown on the record of disclosures maintained in accordance with § 1007.6(b).

(g) If the Privacy Officer or designee disagrees in whole or in part with a request for amendment of a record, the individual shall promptly be notified of the complete or partial denial of his request and the reasons for the refusal. The individual shall also be notified of the procedures for administrative review by the Chairman of any complete or partial denial of a request for amendment, which are set forth in § 1007.9.

(h) If a request is received for amendment of a record prepared by another agency which is in the possession or control of the Commission, the request for amendment will be forwarded to that agency. If that agency determines that the correction should be made, the Commission will amend its records accordingly and notify the individual making the request for amendment of the change. If the other agency declines to make the amendment, the Privacy Officer or designee will independently determine whether the amendment will be made to the record in the Commission's possession or control, considering any explanation given by the other agency for its decision.

§ 1007.9 Appeals to the Chairman.

(a) Any individual may petition the Chairman:

(1) To review a refusal to comply with an individual request for access to records pursuant to the Privacy Act (5 U.S.C. 552a(d)(1)), and §§ 1007.3 and 1007.5 in this part;

(2) To review denial of a request for amendment made pursuant to § 1007.8;

(3) To correct any determination that may have been made adverse to the individual based in whole or in part upon inaccurate, irrelevant, untimely or incomplete information; and,

(4) To correct a failure to comply with any other provision of the Privacy Act and the rules of this Part 1007, which has had an adverse effect on the individual.

(b) The petition to the Chairman shall be in writing and shall: (1) State in what manner it is claimed the Commission or any Commission employee has failed or refused to comply with provisions of the Privacy Act or of the rules contained in this Part 1007, and (2) set forth the corrective action the petitioner wishes the Commission to take. The petitioner may, if he or she wishes, state such facts and cite such legal or other authorities as are considered appropriate.

(c) The Chairman will make a determination of any petition filed pursuant to this subsection within thirty days (excluding Saturdays, Sundays and legal public holidays) after receipt of the petition, unless for good cause shown, the Chairman extends the 30-day period. If a petition is denied, the petitioner will be notified in writing of the reasons for such denial, and the provisions for judicial review of that determination which are set forth in section 552a(g)(1)(A) and (2)(A), of Title 5 of the United States Code and the provisions for disputed records set forth in paragraph (d) of this section.

(d) If, after review, the Chairman declines to amend the records as the individual has requested, the individual may file with the Privacy Officer a concise statement setting forth why he or she disagrees with the Chairman's denial of the request. Any subsequent disclosure containing information about which a statement of disagreement has been filed shall clearly note the portion which is disputed and include a copy of a concise statement explaining its reasons for not making the amendments requested. Prior recipients of the disputed record will be provided a copy of any statement of dispute to the extent that an accounting of disclosures was maintained.

§ 1007.10 Information supplied by the Commission when collecting information from an individual.

The Commission will inform each individual whom it asks to supply information, on the form which it uses to collect the information or on a separate form that can be retained by the individual, of:

(a) The authority which authorizes the solicitation of the information and whether disclosure of such information is mandatory or voluntary;

(b) The principal purpose or purposes for which the information is intended to be used;

(c) The routine uses which may be made of the information, as published in the **Federal Register**; and,

(d) The effects on the individual of not providing all or any part of the requested information.

§ 1007.11 Public notice of records systems.

(a) The Commission will publish in the **Federal Register**, at least annually, a notice of the existence and character of each of its system of records, which notice shall include:

(1) The name and location of the system;

(2) The categories of individuals on whom records are maintained in the system;

(3) The categories of records maintained in the system;

(4) Each routine use of the records contained in the system, including the categories of users and purpose of such use;

(5) The policies and practices of the Commission regarding storage, retrieval, access controls, retention, and disposal of the records;

(6) The title and business address of the Commission official who is responsible for the system of records;

(7) The procedures whereby an individual can be notified at his or her request if the system of records contains a record pertaining to that individual;

(8) The procedures whereby an individual can be notified at his or her request how he or she can gain access to any record pertaining to that individual contained in the system of records, and how the content of the record can be contested; and,

(9) The categories of sources of records in the system.

(b) Copies of the notices as printed in the **Federal Register** will be available in each office of the Commission. Mail requests should be directed to the Privacy Officer, Office of the Managing Director, Interstate Commerce Commission, Twelfth Street and Constitution Avenue NW., Washington, D.C. 20423. The first copy will be provided free of charge; additional copies are subject to charge provided for in paragraph (e) of this § 1007.5.

§ 1007.12 Exemptions.

(a) Investigatory materials compiled for law enforcement purposes are exempt from portions of the Privacy Act of 1974 and of these rules on the basis and to the extent that individual access to these files could impair the effectiveness and orderly conduct of the Commission's enforcement program. Provided, however, that if any individual is denied any right, privilege, or benefit to which he or she would otherwise be entitled by Federal law, or for which he or she would otherwise be eligible, as a result of the maintenance of such material, such materials shall be provided to the individual; except to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

(b) Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for employment with or contracts with the Commission are exempt from portions of the Privacy Act of 1974 and of these rules to the extent that it identifies a confidential source. This is done in order to encourage persons from whom information is sought to provide information to the Commission which, absent assurances of confidentiality, they might otherwise be unwilling to give. However, if practicable, material identifying a confidential source shall be extracted or summarized in a manner which protects the source, and the summary or extract shall be provided to the requesting individual.

JAPAN-UNITED STATES FRIENDSHIP COMMISSION

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JUSFC—1 Payroll Records.
JUSFC—2 General Financial Records.
JUSFC—3 General Informal Personnel Files.

JUSFC—1

System name: Payroll Records—Japan-United States Friendship Commission

System location: General Services Administration, Region 3 Office; copies held by the Commission. (GSA holds records for the Japan-United Friendship Commission under contract.)

Categories of records in the system: Varied payroll records, including, among other documents, time and attendance cards; payment vouchers; comprehensive listing of employees; health benefits records, requests for deductions; tax forms, W-2 forms, overtime requests; leave data; retirement records. Records are used by Commission and GSA employees to maintain adequate payroll information for Commission employees, and otherwise by Commission and GSA employees who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally. Also, Pub.L. 94-118.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix. Records also are disclosed to GAO for audits; to the Internal Revenue Service for investigation; and to private attorneys, pursuant to a power of attorney.

A copy of an employee's Department of the Treasury Form W-2, Wage and Tax Statement, also is disclosed to the State, city, or other local jurisdiction which is authorized to tax the employee's compensation. The record will be provided in accordance with a withholding agreement between the State, city, or other local jurisdiction and the Department of the treasury pursuant to 5 U.S.C. 5516, 5517, or 5520, or, in the absence thereof, in response to a written request from an appropriate official of the taxing jurisdiction to the Assistant Executive Director, Japan-United States Friendship Commission, 1875 Connecticut Avenue, NW., Washington, D.C. 20009. The request must include a copy of the applicable statute or ordinance authorizing the taxation of compensation and should indicate whether the authority of the jurisdiction to tax the employee is based on place of residence, place of employment, or both.

Pursuant to a withholding agreement between a city and the Department of the Treasury (5 U.S.C. 5520), copies of executed city tax withholding certificates shall be furnished the city in response to written request from an appropriate city official to the Assistant Executive Director.

In the absence of a withholding agreement, the Social Security Number will be furnished only to a taxing jurisdiction which has furnished this agency with evidence of its independent authority to compel disclosure of the Social Security Number, in accordance with Section 7 of the Privacy Act, Pub. L. 93.579.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Retrievability: Social Security Number.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Assistant Executive Director, Japan-United States Friendship Commission, 1875 Connecticut Avenue, NW., Washington, D.C. 20009.

Notification procedure: Refer to Commission access regulations contained in 22 CFR Chapter XII.

Record access procedures: Refer to Commission access regulations contained in 22 CFR Chapter XII.

Contesting record procedures: Refer to Commission access regulations contained in 22 CFR Chapter XII.

Record source categories: The subject individual; the Commission.

JUSFC—2

System name: General Financial Records—Japan-United States Friendship Commission.

System location: General Services Administration, Central Office; copies held by the Commission. (GSA holds records for the Japan-United States Friendship Commission under contract.)

Categories of individuals covered by the system: Employees of the Japan-United States Friendship Commission and members of its Commission.

Categories of records in the system: SF-1038, Application and account for advance of funds; vendor register and vendor payment tape. Information is used by accounting technicians to maintain adequate financial information and by other officers and employees of GSA and the Commission who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally; also, Pub. L. 94-118.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix. Records also are released to GAO for audits; to the IRS for investigation; and to private attorneys, pursuant to power of attorney.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and tape.

Retrievability: Manual and automated by name.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition.

System manager(s) and address: Assistant Executive Director, Japan-United States Friendship Commission, 1875 Connecticut Avenue, NW., Washington, D.C. 2009.

Notification procedure: Refer to Commission access regulations contained in 22 CFR Chapter XII.

Record access procedures: Refer to Commission access regulations contained in 22 CFR Chapter XII.

Contesting record procedures: Refer to Commission access regulations contained in 22 CFR Chapter XII.

Record source categories: The subject individual; the Commission.

JUSFC—3

System name: General Informal Personnel Files—Japan-United States Friendship Commission.

System location: Japan-United States Friendship Commission, 1875 Connecticut Avenue, NW., Washington, D.C. 20009.

Categories of individuals covered by the system: The Commission members, staff and consultants, past and present.

Categories of records in the system: Personnel action requests and notifications, statements of employment and financial interests, training material and correspondence with members of the Commission, 7-B cards, delegations of authority.

Authority for maintenance of the system: Title 5, U.S.C., generally. Also Pub. L. 94-118.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Manual.

Safeguards: Stored in lockable file cabinets, released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the GSA records maintenance and disposition system.

System manager(s) and address: Assistant Executive Director, Japan-United States Friendship Commission, 1875 Connecticut Avenue, NW., Washington, D.C. 20009.

Notification procedure: Refer to Commission access regulations contained in 22 CFR Chapter XII.

Record access procedures: Refer to Commission access regulations contained in 22 CFR Chapter XII.

Contesting record procedures: Refer to Commission access regulations contained in 22 CFR Chapter XII.

Record source categories: The subject individual; the Commission.

APPENDIX—Japan-United States Friendship Commission

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement or a grievance, complaint, or appeal filed by an employee. A record from the system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of federal personnel management.

A record from this system of records may be disclosed to officers and employees of a federal agency for purposes of audit.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

A record from this system of records may be disclosed as a routine use to a Member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

A record from this system of records may be disclosed to officers and employees of the General Services Administration in connectio with administrative services provided to this agency under agreement with GSA.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

System name: White House Conference Delegate/Alternate Certification File (D-Ac File).

System location: National Commission on Libraries and Information Science (NCLIS), 1717 K Street NW., Suite 601, Washington, D.C. 20036.

Categories of individuals covered by the system: Persons who: (1) Have been named as delegates or alternates to the White House Conference on Library and Information Service in accordance with the procedures established by their individual state or territory; and (2) have submitted, to NCLIS, though the chief of the state/territorial library agency, an executed copy of the form, "Certification of State/Territorial Delegates/Alternates to the White House Conference on Library and Information Services" (OMB No. 186-S78001). No more than 1,200 persons will have records in the file.

Categories of records in the system: Each record will contain the name, address(es) (home and, if applicable, business), and telephone number(s) of the delegate/alternate. In addition, the record will contain in coded form descriptive information such as, primary language, education, occupation (by broad category), handicap, if any, association with library or information services, and brief work history. To the extent that the delegates/alternates choose to provide it, optional information relating to race, sex, age and income level will appear in the record.

Authority for maintenance of the system: Pub. L. 93-568, paragraph (b) (2).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Upon completion of certification, NCLIS will return one copy each of the form carrying the certification to the delegate/alternate and to the chief of the appropriate state/territorial library agency. Subsequently, NCLIS will not provide information in the file to persons outside of the agency, except to the Congress on specific request, or in response to a formal demand under the Freedom of Information Act. Neither of these is considered a likely eventuality.

In addition to providing mailing addresses to which materials and information relating to the conference may be sent, the information in the files will be used principally:

(1) To verify the designation of each person as a delegate or an alternate, and as "library/information related" or "nonlibrary/information related";

(2) to provide date to be used in analyzing the composition of the conference delegates and alternates for general statistical purposes; and

(3) to provide data to be used in allocating the 105 at-large voting delegate slots for the purpose of offsetting any imbalance in representation that might inadvertently have occurred in the delegate selection process.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

The records will be maintained primarily in the form of computer records on disc storage in a Federal Government computer installation. Any record or group of records will be retrievable by any element or combination of elements in the record. The original certification forms submitted will be retained in a locked file cabinet, grouped by state and territory.

Access to the computer files will be controlled by a procedures which bars access by requiring the use of a password to extract data from the files. This password will be made available only to a limited number of NCLIS staff members who have a need to know. In addition, the descriptive information in the file will be in coded form.

Records will be retained only on designated delegates or alternates to the White House Conference. Should a person cease to be a delegate or alternate for any reason, NCLIS will withdraw and destroy the records upon receipt of official notice of the change. The entire file, both computer and paper records, will be retained only so long as it is useful for the White House Conference process, and, in any event, it will be destroyed by or before September 30, 1980.

System manager(s) and address: Executive Director, National Commission on Libraries and Information Science, 1717 K Street, NW, Suite 601, Washington, D.C. 20036.

Notification procedure: Inquiries may be addressed to the System Manager as indicated above.

Record access procedures: A request for access may be addressed to the System Manager. The request must be in writing and meet the content requirements of 45 CFR Part 1705.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 45 CFR 1705.6.

Record source categories: All of the information in the record, with the exceptions noted below, is obtained from the individual who is the subject of the record.

The designations of an individual as Delegate or Alternate to the Conference and as Library/Information Related or Lay are entered on the certification form by the head of the state or territorial library agency before it is forwarded to NCLIS. The identification number is assigned by NCLIS and is used only to establish a unique record.

Title 45-Public Welfare

Subtitle B-Regulations Relating to Public Welfare

Chapter XVII-National Commission on Libraries and Information Science

PART 1705—PRIVACY REGULATIONS

Sec.
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1705.12 Exemptions.

Authority: 5 U.S.C. 552a.

Source: 43 FR 47195, Oct. 13, 1978, unless otherwise noted.

§ 1705.1 Purpose and scope.

These procedures provide the means by which individuals may safeguard their privacy by obtaining access to, and requesting amendments or corrections in, information, if any, about these individuals which is contained in the White House Conference Delegate/Alternate Certification File (D/AC File), which is under the control of the National Commission on Libraries and Information Science (hereafter, the Commission).

§ 1705.2 Definitions.

For the purpose of these procedures:

(a) The term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

(b) The term "maintain" includes maintain, collect, use or disseminate;

(c) The term "record" means any item or set of items about an individual that is maintained by the Commision in either hard copy or computerized form, including name, residence and other information obtained from the form, "Certification of State/Territorial Delegates/Alternates to the White House Conference on Library and Information Services."

(d) The term "routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

§ 1705.3 Procedures for requests pertaining to individual records in the D/AC File.

(a) An individual who wishes to know whether the D/AC File contains a record pertaining to him or her shall submit a written request to that effect to the System Manager at the Commission. The System Manager shall, within 10 days of receipt of such submission, inform the individual whether the D/AC File contains such a record.

(b) An individual who desires access to any identified record shall file a request therefor addressed to the System Manager indicating whether such individual intends to appear in person at the Commission's offices or whether he or she desires to receive a copy of any identified record through the mail.

§ 1705.4 Times, places, and requirements for identification of individuals making requests.

(a) An individual who, in accord with § 1705.3(b) indicated that he or she would appear personally shall do so at the Commission's offices, 1717 K Street NW., Suite 601, Washington, D.C., between the hours of 8:30 a.m. and 4 p.m. Monday through Friday (legal holidays excluded) and present either: (1) The response from the System Manager indicating that such a record exists; or (2) a copy of the executed certification form, as well as another suitable form of identification, such as a valid drivers license or equivalent.

(b) In response to a request for mail delivery, the Commission will mail only to the home address appearing in the D/AC File a copy of the record for that individual within 10 working days.

§ 1705.5 Disclosure of requested information to individuals.

Upon verification of identity, the System Manager shall disclose to the individual (a) the information contained in the record which pertains to that individual; and (b) the accounting of disclosures of the record, if any, required by 5 U.S.C. 552a(c).

§ 1705.6 Request for correction or amendment to the record.

If a person wishes a change to be made in the record, he or she should follow the procedures for making changes which are included in the instructions accompanying the certification form by which the information was obtained. Copies of these instructions will be mailed to any delegate/alternate upon request.

§ 1705.7 Agency review of request for correction or amendment of the record.

Within 10 days of the receipt of the request to correct or to amend the record, the System Manager will acknowledge in writing such receipt and promptly either: (a) Make any correction or amendment of any portion thereof which the individual believes is not accurate, relevant, timely, or complete and inform the individual of same: or (b) inform the individual of his or her refusal to correct or amend the record in accordance with the request, the reason for the refusal, and the procedures established by the Commission for the individual to request a review of that refusal.

§ 1705.8 Appeal of an initial adverse agency determination on correction or amendment of the record.

An individual who disagrees with the refusal of the System Manager to correct or to amend his or her record may submit a request for review of such refusal to the Chairman of the Commission, 1717 K Street NW., Suite 601, Washington, D.C. 20036. The Chairman will, not later than 30 days from the date on which the individual requests such review, complete such review and make a final determination unless, for good cause shown, the Chairman extends such 30-day period. If, after his or her review, the Chairman also refuses to correct or to amend the record in accordance with the request, the individual may file with the Commission a concise statement setting forth the reasons for his or her disagreement with the refusal of the Commission and may seek judicial review of the Chairman's determination under 5 U.S.C.552a(g)(1)(A).

§ 1705.9 Disclosure of record to a person other than the individual to whom the record pertains.

An individual to whom a record is to be disclosed in person may have a person of his or her own choosing accompany the individual when the record is disclosed.

§ 1705.10 Fees.

(a) The Commission will not charge an individual for the costs of making a search for a record or the costs of reviewing the record. When the Commission makes a copy of a record as a necessary part of the process of disclosing the record to an individual, the Commission will not charge the individual for the cost of making that copy.

(b) If an individual requests the Commission to furnish him or her with a copy of the record (when a copy has not otherwise been made as a necessary part of the process of disclosing the record to the individual) the Commission will charge a fee of 0.25 cents per page (maximum per page dimension of 8½ by 13 inches) to the extent that the request exceeds 5 dollars in cost to the Commission. Requests not exceeding 5 dollars in cost to the Commission will be met without cost to the requester.

§ 1705.11 Penalties.

Title 18 U.S.C. 1001, Crimes and Criminal Procedures, makes it a criminal offense, subject to a maximum fine of 10,000 dollars or imprisonment for not more than 5 years or both to knowingly and willfully make or cause to be made any false or fraudulent statements or representations in any matter within the jurisdiction of any agency of the United States. Section 552a(i)(3) of the Privacy Act (5 U.S.C. 552a(i)(3)), makes it a misdemeanor, subject to a maximum fine of 5,000 dollars, to knowingly and willfully request or obtain any record concerning an individual under false pretenses. Section 552a(i) (1) and (2) of the Privacy Act (5 U.S.C. 552a(i) (1) and (2)) provide penalties for violations by agency employees of the Privacy Act or regulations established thereunder.

§ 1705.12 Exemptions.

No Commission records system is exempted from the provisions of 5 U.S.C. 552a as permitted under certain conditions by 5 U.S.C. 552a (j) and (k)

OFFICE OF MANAGEMENT AND BUDGET

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OMB/SPD/01

System name: Clearance Office Information System .

Security classification: None.

System location: Office of Management and Budget, Clearance Office, Statistical Policy Division, Room 10201, New Executive Office Building, 726 Jackson Place, NW, Washington, DC 20503.

Categories of individuals covered by the system: Employees of the Executive Office of the President and employees of agencies subject to the provisions of the Federal Reports Act who are reviewing or who have submitted for review requests for clearance under the Federal Reports Act.

Categories of records in the system: These records contain a docket number for every request for clearance under the Federal Reports Act; all materials submitted by the agency requesting clearance, including the names of agency employees directly responsible for the request and the names of those authorized to submit it; all material received from interested persons, including the names of the persons; records of all consultations including names of persons consulted; minutes of any public meeting or hearings, including the names of persons attending; a worksheet containing OMB reviewer notes and recommended action; a copy of the OMB action signed by the Clearance Officer; and copies of the approved materials. They also include computer-generated records and reports which show the name of the OMB employee assigned to the review of each pending request for clearance; the name of the employee assigned to the review of each completed review; the name of each agency clearance officer; summary reports of the number of reviews assigned to and completed by each employee for the last completed month and for the year to date; and a record of each docket borrowed by an OMB employee with the name, room number and phone number of the borrower.

Authority for maintenance of the system: 44 U.S.C. 3501-3511.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual and to officers and employees of OMB in connection with the performance of their official duties for the agency (See 'Retrievability').

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in three electric-powered rotary files, on a reference table within the Clearance Office, and in the OMB Records Depository. In addition, docket information is stored on computer disk for use in preparing inventory and control reports and listings. Materials stored on the reference table for immediate access consist of the current inventory of reporting and recordkeeping requirements cleared by OMB under the Federal Reports Act, the inventory of requests for clearance under the Federal Reports Act presently under review, and the inventory of OMB completed clearance actions for the current and preceding months.

Retrievability: Records are filed by OMB docket number except for some computer generated records which may be retrieved by agency clearance officers or the OMB reviewer number. Access to materials in the Records Depository is limited to the staff of the OMB Records Unit. There are no restrictions on access to materials in the rotary files except that no docket may be withdrawn from the file except by a member of the Clearance Office staff or by a member of the OMB staff or a member of an agency staff working under the instruction of a member of the Clearance Office staff. Except as provided below (see Safeguards) there are no restrictions to access of the material that is stored on the reference table for immediate use. Material processed in the OMB computer center is released only to authorized Clearance Office staff.

Safeguards: All records are under the immediate surveillance of Clearance Office staff during working hours. The materials in the rotary files are locked at all other times. The Records Depository is locked during nonoffice hours. The Computer Center is in a secured area.

Retention and disposal: Active dockets are retained in the Clearance Office Information System until the period of time for which they have been cleared expires. They are then transferred to the OMB Records Depository for destruction or transfer to National Archives under existing regulations.

System manager(s) and address: Clearance Officer, Statistical Policy Division, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503.

Notification procedure: Requests to be notified whether the system contains a record pertaining to an individual should be addressed to Assistant to the Director for Administration, Office of Management and Budget, Old Executive Office Building, 17th and Pennsylvania Avenue, NW (See also Chapter III, Part 1302 of Title 5, Code of Federal Regulations, (40 FR 34165).)

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information is obtained from material submitted by agency requesting clearance and internal OMB work plans.

Systems exempted from certain provisions of the act: Not applicable.

OMB/LIBRY/01

System name: Library Circulation System.

Security classification: None.

System location: Office of Management and Budget Library, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Categories of individuals covered by the system: Employees of the Executive Office of the President.

Categories of records in the system: These records contain titles and other identifying data on materials borrowed from the OMB Library; name, room number, organization, and telephone number of borrower; and the return date for each item borrowed.

Authority for maintenance of the system: Federal Property and Administrative Services Act, Title II, Sec. 202(b)(1), 40 U.S.C. 483(b)(1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual and to officers and employees of OMB in connection with the performance of their official duties for the agency (See 'Retrievability').

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored at the circulation desk of the OMB Library.

Retrievability: Records are arranged alphabetically by last name of borrower, by title of item borrowed, by organization to which borrower belongs, and by order of input into the system.

Safeguards: Access to records is under constant surveillance by Head of Reference and Loan Section during normal working hours. Secured in locked room after work hours.

Retention and disposal: Records are retained on individual library loans only until the item is returned to the Library. Reports on the status of loans are generated daily; current and preceding day's reports are retained.

System manager(s) and address: Librarian, Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Notification procedure: Requests to be notified whether or not the system contains a record pertaining to an individual should be addressed to Assistant to the Director for Administration, Office of Management and Budget, Old Executive Office Building, 17th & Pennsylvania Avenue, NW, Washington, D.C. 20503. (See also Chapter III, Part 1302 of Title 5, Code of Federal Regulations (40 FR 34165).)

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information obtained from individual to whom it pertains and from physical examination of materials borrowed.

Systems exempted from certain provisions of the act: Not applicable.

OMB/BUDGO/01

System name: Payroll and Leave Records.

Security classification: None.

System location: Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Categories of individuals covered by the system: Former and current employees of the Office of Management and Budget, the Domestic Council, and the Council of Economic Advisers.

Categories of records in the system: These records contain information relating to the individuals name, Social Security number, age, sex, marital status, appointment, tenure, employment status, and occupation series. These records also contain data as of the year to date and the most recent pay period with regard to leave earned, used, and balances, withholdings, and allotments to financial institutions.

Authority for maintenance of the system: 5 U.S.C. 301, 31 U.S.C. 66a, 44 U.S.C. 3101, 3309.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual and to officers and employees of OMB in connection with the performance of their official duties for the agency (See 'Retrievability').

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are filed in a file cabinet in the Payroll Office or in Federal Records Center Boxes in the OMB Records Depository.

Retrievability: Records are filed in chronological order by calendar year and by name. Access is limited to the staff of the Budget and Management Office and the Records Unit, and the appropriate supervisory officials, the Assistant to the Director for Administration, the Deputy Director, and the Director.

Safeguards: Only Budget and Management Office staff and the Records Unit staff have access on a regular basis. Both the Budget and Management Office and the Records Depository are locked during nonworking hours and under visual surveillance during working hours.

Retention and disposal: Temporary records subject to General Accounting Office audit are retained until completion of the audit which generally occurs every 2-4 years. Permanent records, comprehensive Listing of Employee Master File (Form TUS 404), are retired to National Archives after 6 years.

System manager(s) and address: Budget and Management Officer, Office of Management and Budget New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Notification procedure: Requests to be notified whether or not the system contains a record pertaining to an individual should be addressed to Assistant to the Director for Administration, Office of Management and Budget, Old Executive Office Building, 17th & Pennsylvania Avenue, NW, Washington, D.C 20503. (See also Chapter III, Part 1302 of Title 5, Code of Federal Regulations (40 FR 34165).)

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information obtained from employees application for employment, and withholding statements prepared by the employee.

Systems exempted from certain provisions of the act: Not applicable.

OMB/BUDGO/02

System name: Staff Travel Records.

Security classification: None.

System location: Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Categories of individuals covered by the system: Employees (current and former) of the Office of Management and Budget, the Domestic Council, and the Council of Economic Advisers regardless of type of appointment, and other individuals, who have performed travel at government expense on official business.

Categories of records in the system: These records contain the approved travel authorization, the travel vouchers submitted by the individual, memos of approval for special conveyance or actual subsistence, and receipts as may be required by the Federal Travel Regulations (FPMR 101-7).

Authority for maintenance of the system: 31 U.S.C. 66a, 44 U.S.C. 3101, 3102, 3301, 3309, and General Accounting Office Policy and Procedures Manual for Guidance of Federal Agencies, Title 8, Chapter 2, Sections 4 and 5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual and to officers and employees of OMB in connection with the performance of their official duties for the agency (See 'Retrievability').

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Current records are maintained in folders in metal file cabinets. Noncurrent records are filed in Federal Records Center Boxes in the OMB Records Depository.

Retrievability: Records are alphabetically arranged by name according to fiscal year. Access to the records described herein is restricted to staff of the Budget and Management Office, the appropriate supervisory officials, the Assistant to the Director for Administration, the General Counsel, or his designee, the Deputy Director, Director, Executive Director, Domestic Council, and Chairman, Council of Economic Advisers.

Safeguards: Only Budget and Management Office staff and the Records Unit staff have access on a regular basis. Both the Budget and Management Office and Records Depository are locked during nonworking hours and under visual surveillance during working hours.

Retention and disposal: Current records are maintained in the Budget and Management Office until they have been audited by the General Accounting Office. Noncurrent records are maintained by the Records Unit for 6 years following which time they are disposed of in accordance with the Records Disposition Schedules established by the General Services Administration General Schedule No. 9.

System manager(s) and address: Budget and Management Officer, Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Notification procedure: Requests to be notified whether or not the system contains a record pertaining to an individual should be addressed to Assistant to the Director for Administration, Office of Management and Budget, Old Executive Office Building, Washington, D.C. 20503. (See also Chapter III, Part 1302 of Title 5, Code of Federal Regulations, (40 FR 34165).)

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Content of records is obtained from the individual to whom the information pertains. Additional information may be added by the Budget and Management Office staff as a result of an internal audit.

Systems exempted from certain provisions of the act: Not applicable.

OMB/BUDGO/03

System name: Personnel Summary.

Security classification: None.

System location: Budget and Management Office, Office of Management and Budget, New Executive Office Building Washington, D.C. 20503.

Categories of individuals covered by the system: Current employees of the Office of Management and Budget, regardless of their type of appointment. A record of the employment as of the end of the preceding fiscal year is also maintained.

Categories of records in the system: These records contain the following information on each employee: (a) Name, (b) date of birth, (c) sex, (d) minority status, (e) degree, (f) date employee entered on duty with OMB or BOB, (g) type of appointment, (h) status of employment, (i) division and branch where employed, (j) occupational classification, (k) professional or nonprofessional identification, (l) grade and step, (m) annual salary, (n) daily rate, (o) service computation date, (p) date of last promotion, (q) person years of employment, and (r) occupation code.

Authority for maintenance of the system: 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual and to officers and employees of OMB in connection with the performance of their official duties for the Agency (See 'Retrievability').

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Record is maintained on a computer from a commercial time-sharing firm under contract with OMB.

Retrievability: Access from the computer is restricted by an access code and is limited to two employees in the Budget and Management Office. The record, which is updated monthly is distributed to the Assistant to the Director for Administration and the staffs of the Budget and Management Office and the Personnel Office. Upon request a copy is made available to OMB's Equal Employment Opportunity Officer or his/her designee.

Safeguards: Access and distribution is limited as described above. In addition the terminals by which access can be obtained are located in the Budget and Management Office which is locked during nonworking hours. Copies of the record that are distributed internally as specified above are secured in a locked room or locked file cabinet during nonworking hours.

Retention and disposal: The record covering the most recent pay period and a record as of the end of the fiscal year are maintained. Prior copies are destroyed.

System manager(s) and address: Budget and Management Officer, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503.

Notification procedure: Requests to be notified whether or not the system contains a record pertaining to an individual should be addressed to Assistant to the Director for Administration, Office of Management and Budget, Old Executive Office Building, 17th & Pennsylvania Avenue, NW, Washington, D.C. 20503. Must provide building pass or some other form of verification that the individual is current or former employee of OMB. (See also Chapter III, Part 1302 of Title 5, Code of Federal Regulations (40 FR 34165).)

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information is obtained from employees application (SF 171) and subsequent Notification of Personnel Actions (SF 50).

Systems exempted from certain provisions of the act: Not applicable.

OMB/BUDGO/04

System name: OMB Professional Staff Roster.

Security classification: None.

System location: Office of Management and Budget, Old Executive Office Building, 17th and Pennsylvania Avenue, NW, Washington, D.C. 20503.

Categories of individuals covered by the system: Current and some former professional employees of the Office of Management and Budget.

Categories of records in the system: These records may contain information about the individuals' name, division where employed, schools attended, fields of study, degrees, years of study or degree, former places of employment, positions held, years of employment, and federal service awards received.

Authority for maintenance of the system: 5 U.S.C. 301

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: When published in booklet form, the information is used to provide background information about the professional staff to other professional staff members, other staff, and interested parties outside OMB. Records may also be used in the preparation of biographical summaries for award recipients or for interagency meetings, to give two examples.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored on a computer file maintained by the Office of Administration. Data forms from which the file is created and hardcopy printouts of the data are stored in the safe in the Director's Correspondence Unit.

Retrievability: Access to records stored in the computer is restricted by an access code. Access to hardcopy records is limited to members of the staff of the Assistant Director for Administration.

Safeguards: Access to record files is limited as described above. The information submitted is volunteered with the understanding that it will be published and distributed.

Retention and disposal: Data forms and hardcopy printout of the records are retained until the individual is no longer employed at OMB or indicates that his or her records be deleted. Records are then deleted from the computer file and hardcopy records destroyed.

System manager(s) and address: Assistant Director for Administration, Office of Management and Budget, Old Executive Office Building, Room 425, 17th Pennsylvania Avenue, NW, Washington, D.C. 20503.

Notification procedure: Requests to be notified whether or not the system contains a record pertaining to an individual should be addressed to the system manager, as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information is volunteered by employees on a form, "Information Sheet for Staff Roster."

Systems exempted from certain provisions of the act: None.

OMB/LEGIS/01

System name: Private Relief Legislation.

Security classification: Generally none.

System location: Legislative Information Center, Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Categories of individuals covered by the system: Individuals who are the subject of proposed or enacted private relief legislation.

Categories of records in the system: The information contained in these records consists of only those private relief bills requiring Office of Management and Budget review as specified in OMB Circular No. A-19, Revised. The information maintained may include copies of a draft bill proposed by an agency as defined in the Circular, copies of bills introduced in the Congress, and if applicable, Congressional committee reports, agency memorandums and letters, OMB memorandums and letters, and other documents as may be needed in connection with the legislative coordination and clearance process. Certain individual records may also contain correspondence from and to the individual about whom the information is maintained.

Authority for maintenance of the system: Office of Management and Budget Circular No. A-19, Revised July 31, 1972.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual and to officers and employees of OMB in connection with the performance of there official duties for the agency (See 'Retrievability').

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are stored in an electronically powered rotary file.

Retrievability: Information is retrieved by name of individual, bill number, or private law number. Access is limited to the Director, Deputy Director, General Counsel, staff of the Legislative Reference Division, OMB program analysts and their supervisors.

Safeguards: Rotary power file is locked during nonworking hours and under visual surveillance during working hours.

Retention and disposal: Permanent records are maintained on private relief bills introduced during the current and prior two sessions of Congress and then transferred to the National Archives.

System manager(s) and address: Supervisor, Legislative Information Center, Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Notification procedure: Assistant to the Director for Administration, Office of Management and Budget, Old Executive Office Building, 17th & Pennsylvania Avenue, NW, Washington, D.C. 20503. (See also Chapter III, Part 1302 of Title 5, Code of Federal Regulations (40 FR 34165).) State name, date of birth, private relief bill number, if known, or the approximate date the bill was introduced and a general statement of the relief requested or granted.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: See item 06.

Systems exempted from certain provisions of the act: Not applicable.

OMB/PERSL/01

System name: Recruiting and Applicant Records.

Security classification: None.

System location: Personnel Office, Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503

Categories of individuals covered by the system: Persons who have applied or who have been referred for employment consideration or who otherwise seek an association with the Office of Management and Budget. The automated index to the system consists of persons who have been included by the OMB Personnel staff in the Office's computer file or active OMB employment candidates.

Categories of records in the system: These records contain information relating to the education and training; employment history and earnings; appraisal of past performance; convictions of offenses against the law; results of written tests; appraisal of potential; honors, awards, or fellowships; military service, veterans preference, birthplace; birth date; social security number; names of relatives who are employed in the Federal service; legal residence; and home address of persons who have applied for employment with the Office of Management and Budget or have been referred for employment consideration by the Office of Management and Budget. The automated index consists of information concerning the availability, Civil Service status, Federal employer (if applicable), race, sex, handicap (if declared), veterans preference, legal or voting residence, birth date, education and OMB job eligibility of candidates.

Authority for maintenance of the system: Title 5, U.S.C. Section 3109, 3301, 3302, 3304, 3309, 3318, 3319, and Executive Orders 10577 and 11103.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. U.S. Civil Service Commission to the extent the information is relevant to the Commission's decision on an OMB request.

b. A congressional office in response to an inquiry from the congressional office made at the applicant's request.

c. A requesting Federal agency, Commission or other public office if that applicant has indicated to OMB that he or she is available for referral to other agencies for consideration.

d. To anyone requesting statistical information (without personal identification of individual applicants) under the Freedom of Information Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in two forms: files of documents retained in the Personnel Office and an index maintained on a computer tape file.

Retrievability: Individual records are indexed by name, OMB control number (if applicable) and date of most recent contact. Records to be referred for employment consideration are retrieved by applicant status, availability, education, and OMB job eligibility codes. Statistical summaries and other analyses of the applicant inventory data-base will be conducted utilizing all pertinent categories of data contained in the automated index. (See Categories of Records in the System.)

Safeguards: Access to and use of the system and its records is limited to employees of the OMB Personnel staff whose official duties require having access. Files are kept in the OMB Personnel Office and in the OMB computer center. Both facilities are locked and alarmed. All output reports from the computer system will be place in locked boxes in the computer center until retrieved by authorized personnel.

Retention and disposal: Records are retained and disposed of according to the recency of the date of last contact with the individual on whom the record is maintained under the GSA general records schedule 1.

System manager(s) and address: Personnel Officer, Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Notification procedure: Individuals should contact the system manager. The request should be made in writing, giving full name, date of birth, the approximate date of most recent application or when and where contact with an OMB representative was most recently made, if applicable.

Record access procedures: (See Notification Procedures.)

Contesting record procedures: (See Notification Procedures.)

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information he or she supplied, except reports from medical personnel or physical qualifications; results of examination which are made known to applicants and vouchers supplied by references.

OMB/RECDS/01

System name: Researcher Request File.

Security classification: None.

System location: Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Categories of individuals covered by the system: Persons who have requested to examine official records or reference materials prepared by the Bureau of the Budget or the Office of Management and Budget.

Categories of records in the system: This system of records contains the initial letter submitted by individuals asking to examine the official agency records, including a statement as to the nature and purposes of the research, their present occupation, home and/or place of employment. Brief descriptions and locations of the records reviewed examined and copied are also maintained in the file.

Authority for maintenance of the system: 5 U.S.C. 301, Title 44, U.S.C. 3101-3103, 3105, 3106.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual and to officers and employees of OMB in connection with the performance of their official duties for the agency (See 'Retrievability').

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders and on index cards located in the OMB Records Depository.

Retrievability: The records are indexed and alphabetically arranged by names of individuals and cross-referenced by record or research subject. Access is restricted to the Assistant to the Director for Administration and the Records Unit.

Safeguards: Records Depository is locked during nonworking hours and is under the visual surveillance of Records Unit staff during working hours.

Retention and disposal: Files are retained for a period of eight years and then destroyed.

System manager(s) and address: Records Officer, Office of Management and Budget, 726 Jackson Place, Washington, D.C. 20503.

Notification procedure: Request to be notified whether or not the system contains a record pertaining to an individual should be addressed to Assistant to the Director for Administration, Office of Management and Budget, Old Executive Office Building, 17th & Pennsylvania Avenue, NW, Washington, D.C. 20503. See also Chapter III, Part 1302 of Title 5, Code of Federal Regulations (40 FR 34165)

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Personal information is received only from the individual. No additional data concerning the individual is added to the file.

Systems exempted from certain provisions of the act: Not applicable.

OMB/ADSER/01

System name: Staff Directory Card.

Security classification: None.

System location: Administrative Services, Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Categories of individuals covered by the system: Current OMB employees.

Categories of records in the system: This system of records contains information on each employee consisting of name, address, person to notify in an emergency, home address, residence telephone number, office room number, Division or unit symbol, and office telephone extension.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual and to officers and employees of OMB in connnection with the performance of their official duties for the agency (See 'Retrievability').

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Forms are maintained in a metal file cabinet specially adapted for directory cards.

Retrievability: Records are filed in alphabetical order. Access to the record is restricted to Administrative Services Office and Budget and Management Office employees. In emergency situations, the records may be accessed by the employee's supervisor.

Safeguards: The Administrative Services Office is locked during nonoffice hours.

Retention and disposal: Record is destroyed when employee terminates employment with OMB.

System manager(s) and address: Administrative Services Officer, Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Notification procedure: Assistant to the Director for Administration, Office of Management and Budget, Old Executive Office Building, 17th & Pennsylvania Avenue, NW, Washington, D.C. 20503. See also Chapter III, Part 1302 of Title 5, Code of Federal Regulations (40 FR 34165). Supply name and building pass.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information contained in the system is obtained from the employee.

Systems exempted from certain provisions of the act: Not applicable.

OMB/ADSER/02

System name: Staff Parking Application File.

Security classification: None.

System location: Administrative Services, Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Categories of individuals covered by the system: OMB employees who have applied for parking permits during the previous year and individuals employed by other agencies and private concerns who are riders in their carpools.

Categories of records in the system: The system contains completed OMB Forms 73 submitted by OMB employees who desire a parking permit. The form contains the following information on person making the application: Name, GS grade, office or division, room number, telephone extension, years of Federal service, home address, home telephone number, zip code, make of car and for each rider, name, home address, employer, and years of Federal service, if applicable.

Authority for maintenance of the system: General Services Administration Federal Management Circular 74-1, Suppl. 2 dated November 15, 1974 and Office of Management and Budget Office Memorandum No. 75-23.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office form the record of an individual in response to an inquiry from the congressional office made at the request of that individual and to officers and employees of OMB in connection with the performance of their official duties for the agency (See 'Retrievability').

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Forms are maintained in a three-ring binder.

Retrievability: Records are kept in numerical order by parking permit number and by name. Access is limited to the Assistant to the Director for Administration, staff of the Administrative Services Office, and upon request, the individual to which the information pertains.

Safeguards: Administrative Services Office is locked during nonworking hours.

Retention and disposal: The file is maintained for one year following the close of the parking year (March 1).

System manager(s) and address: Administrative Services Officer, Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Notification procedure: Assistant to the Director for Administration, Office of Management and Budget, Old Executive Office Building, 17th & Pennsylvania Avenue, NW, Washington, D.C. 20503. (See also Chapter III, Part 1302 of Title 5 Code of Federal Regulations (40 FR 34165).)

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information contained in the system was obtained from the individual to whom record pertains.

Systems exempted from certain provisions of the act: Not applicable.

OMB/CAVAD/01

System name: Veterans Education and Training Load Model.

Security classification: None.

System location: Office of Management and Budget Computer Center, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Categories of individuals covered by the system: Veterans and other eligibles using VA GI Bill education benefits.

Categories of records in the system: These records contain beneficiary name, address, identification number, as well as the name and address of the training institution, type of training, amount of training, and number of dependents, date of separation from the armed forces, remaining eligibility, remaining entitlement, and other accounting data.

Authority for maintenance of the system: Budget and Accounting Act, 1921 (31 U.S.C. 1-24).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual and to officers and employees of OMB in connection with the performance of their official duties for the agency (See 'Retrievability').

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are on magnetic tape, provided by the VA, and when not being used on the computer for the extract run, are in a tape storage area.

Retrievability: Records are arranged in numerical sequence by identification number, usually Social Security number.

Safeguards: Data is on tape, therefore there is no direct access. The tapes are locked in the computer room when not actually being used by the machine and are accessible only to one computer job. The tapes are removed from NEOB back to VA when the job is completed.

Retention and disposal: Upon completion of the extract run, the tapes are returned to the VA.

System manager(s) and address: Veterans Unit, CVA Division, Office of Management and Budget, New Executive Office Building, 726 Jackson Place, NW, Washington, D.C. 20503.

Notification procedure: Since this file is only a duplicate of the VA Master Education File, no changes can be made at this site which will affect the utility of any of the records. For notification of whether the system contains data on a particular individual, inquiry should be made to the Assistant to the Director for Administration, Office of Management and Budget, Old Executive Office Building, 17th & Pennsylvania Avenue, NW, Washington, D.C. 20503. (See also Chapter III, Part 1302 of Title 5, Code of Federal Regulations (40 FR 34165).)

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information obtained from individual applicant for training, the training institution, and the appropriate branch of the armed services.

Systems exempted from certain provisions of the act: Not applicable.

FAI-1

System name: Federal Procurement and Logistics Personnel Information System.

System location: Federal Acquisition Institute (FAI), 1815 N. Lynn Street, Arlington, Virginia 22209.

Categories of individuals covered by the system: Personnel of Federal agencies (civilian and military) involved in acquisition and logistics management. Such individuals are generally employed in the Business and Industry (GS-1100); Equipment, Facilities and Services (GS-1600); Quality Assurance, Inspection and Grading (GS-1900); Supply (GS-2000); and Transportation (GS-2100) General Schedule occupational fields, or equivalent military fields.

Categories of records in the system: Records contain biographical data on individuals such as name, social security number (SSN), birth date, past and present pay levels, position title, occupational series, training, and past personnel actions. Data also include employee's work such as description of tasks, types and number of contracts assigned.

Authority for maintenance of the system: a. Title 41 U.S.C. Secs. 404, 406, and 411, which established the Office of Federal Procurement Policy (OFPP), OMB, and requires executive agencies to furnish such Office access to all information and records determined to be necessary for the performance of its missions.

b. OFPP Policy Memorandum of July 14, 1976, which established the Federal Procurement Institute (now the Federal Acquisition Institute) and delegated responsibility to the Institute for the Government-wide planning, development, implementation and evaluation of programs in procurement research, education and training, and career development.

c. Memorandum of Understanding for the Sponsorship and Operation of the Federal Procurement Institute (May 11, 1976), which is an agreement between its signatories (at present: 24 Federal departments and agencies) for the interagency sponsorship and operation of the FAI and further provides that the FAI's policies and programs will be under the direction and guidance of a Policy Board comprised of representatives from the FAI's member departments and agencies.

d. Title 5 U.S.C. Secs. 4103 and 4105, which authorize agencies to establish interagency training facilities such as the FAI, and to jointly operate training programs for Government personnel.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary purpose of this system of records is to enable the FAI to prepare statistical reports on characteristics of the acquisition and logistics occupations and to periodically contact individual employees for personnel research projects that extend over a period of time (longitudinal studies). The FAI obtains data from employees and the management information systems of its member agencies, applying such data in the development of training, career development, education and research reports and programs.

Automated data processing services are provided the FAI by the Bureau of Personnel Management Information Systems, OPM: Defense Manpower Data Center (Alexandria, Va.); Air Force Human Resources Laboratory (Brooks Air Force Base, Tex.), and the U.S Army Military Personnel Cneter (Alexandria, Va.).Records of the FAI are used to prepare reports on the acquisition and logistics workforce such as: (a) The distribution of acquisition and logistics tasks among Federal occupations, agencies and pay levels, (b) employee perceptions of the learning difficulty to each acquisition and logistics task, and (c) the frequency of promotions in acquisition and logistics occupations as compared to other Federal professional and administrative occupations. These reports consist of summary descriptive statistics only. No individually identifiable information on employees is disclosed in the reports. Copies of the reports are therefore made available to other Federal agencies, educational institutions, and any other individual who requests general statistical information on accquisition and logistics occupations.

The FAI may transmit lists of names, SSN's, birth dates, organizational mailing addresses and phone numbers of individual wmployees to the Federal agencies listed below. Purposes served thereby are to identify specific individuals who should be included in agency reports on members of the acquisition and logistics workforce and/or to locate specific individuals for personnel research. No individually identifiable data will be disclosed that would permit an individual's employing agency to make a decision about the individual.

Department of Energy.
National Aeronautics and Space Administration.
General Services Administration.
Department of Human Resources.
Department of Justice.
Department of the Interior.
Environmental Protection Agency.
State Department.
Veterans Administration.
Department of Transportation.
Department of Treasury.
Department of Agriculture.
Department of Housing and Urban Development.
Department of Commerce.
Small Business Administration.
U.S.O.P.M.
Department of Defense.
Department of Labor.
National Science Foundation.

The above agencies are signatories to the memorandum of understanding for the sponsorship and operation of the FAI. No individually identifiable information is furnished outside the agencies enumerated above.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: At FAI: Paper records and computer printouts.

At U.S.O.P.M.; Defense Manpower Data Center; Air Force Human Resources Laboratory; and U.S. Army Military Personnel Center: Magnetic tapes and discs, and computer printouts.

The FAI may, on occasion, employ contractors to print questionnaires, transfer questionnaire responses to magnetic tapes and discs, and analyze responses. No such contractor shall be allowed to retain any data on individual employees for longer than 1 year, and any such contractor shall be obligated to observe the policies and practices of this notice.

Retrievability: By name, SSN, and date of birth.

Safeguards: Manual records are stored in buildings which employ security guards; records are accessible only to authorized personnel.

Automated records are under the control of a cardkey access system which requires positive identification and authorization, and are located in a designated controlled area to which access is limited to selected personnel only.

Retention and disposal: Records are retained indefinitely by FAI for longitudinal studies of changes in the acquisition and logistics workforce. Reexamination of the population will occur periodically to update records on work assigned employees. Biographical data are updated annually through the acquisition of data from the Central Personnel Data File of the U.S. Civil Service Commission and agency personnel management information systems.

System manager(s) and address: Director, FAI, 726 Jackson Place, NW, Washington, D.C. 20503.

Notification procedure: Information may be obtained form the System Manager.

Record access procedures: Requests from individuals should be addressed to the System Manager. Written requests should contain the individual's full name, SSN, date of birth, and current address.

Contesting record procedures: The FAI is guided by the OMB's rules for access to records, contesting contents, and appealing initial decisions.

Record source categories: The OPM's Central Personnel Data File is the primary source of biographical data on members in this system of records. The primary source of data on work performed by an employee is the employee to whom the record pertains. This information is collected through questionnaires which are reissued to employees to update their records. Additional information may be obtained from management information systems of individual's employing agency, from professional societies (which would report only the names and other identifiers of individual Federal employees they have certified as professional acquisition or logistics specialist), and from educational institutions (which would report only the names and other identifiers of individual Federal Employees who have attended educational programs in the fields of acquisition and logistics management) on an annual basis.

Systems exempted from certain provisions of the act: None.

FAI-2

System name: Individual Credentialing Services Program.

System location: Federal Acquisition Institute (FAI), Federal Acquisition Institute (FAI), 1815 N Lynn Street, Arlington, VA 22209. A segment of the records may reside temporarily at the American Council on Education (ACE) or the University of the State of New York, which serve a contractual role for evaluation of individuals' questionnaires, transcripts, training, and work experience and determination of academic credit.

Categories of individuals covered by the system: Personnel of Federal agencies involved in government procurement/acquisition and Federal assistance functions.

Categories of records in the system: Questionnaires completed by Federal employees who provide name, social security account number (SSAN), date of birth, home address and telephone number, military and civilian service data, citizenship, work experience, educational attainment level, and other similar relevant biographical data, together with appropriate support documents that may be required; academic transcripts furnished by colleges/universities; results of program manager/participant consultation; determinations/recommendations of the accrediting organization.

Authority for maintenance of the system: Pub. L. 93–400, August 30, 1974 (Title 41 U.S.C. 404, 405, 406, and 411 which established the Office of Federal Procurement Policy (OFPP) within the Office of Management and Budget (OMB) and authorizes the Administrator for Federal Procurement Policy to recommend and promote programs for recruitment, training, career development, and performance evaluation of procurement personnel. These functions were delegated to the Federal Procurement Institute by the Administrator by 'Memorandum to Heads of Executive Departments and Agencies', dated July 14, 1976. (The name of the Institute was changed to the Federal Acquisition Institute on March 1, 1978.)

Title 5 U.S.C. 4104 and 4105 which authorizes the establishment of interagency training centers, such as the FAI, and the joint operation of a training program applicable to Government personnel.

Pub. L. 93-400, August 30, 1974 which sets forth OFPP responsibility for improving the quality, efficiency, economy, and performance of Government procurement organizations and personnel and the 'Memorandum of Understanding' issued by the Administrator for Federal Procurement Policy on May 11, 1976 and signed by 24 member agencies, for the organization and operation of the FAI to assist in these responsibilities.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The purpose of this system is to enable FAI to provide academic and/or other training accreditation services to Federal employees of Government agencies involved in procurement/acquisition and Federal assistance functions. This service will be provided by the organizations mentioned under 'System Location', and will constitute an authenticated evaluation of experience, education, and training and a determination of allowable credit. Information may be disclosed to an individual's employing agency.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy records.

Retrievability: By name.

Safeguards: Records are stored in cabinets accessible only to authorized personnel, within buildings secured by guards.

Retention and disposal: Retained by FAI indefinitely; disposition will be negotiated with GSA National Archives and Records Service. Records at supporting accreditation organizations are retained only for time necessary to review and provide credentialing service, after which they are returned to FAI.

System manager(s) and address: Director, FAI, 1815 N Lynn Street, Arlington, VA 22209.

Notification procedure: Information may be obtained from the System Manager.

Record access procedures: Requests from individuals should be addressed to the System Manager. Written inquiries should contain requester's full name, SSAN, date of birth, and current address. For personal visits, the individual must provide sufficient identification such as valid driver's license, and information that can be verified with his/her records.

Contesting record procedures: The FAI is guided by the OMB's rules for access to records, contesting contents, and appealing initial determinations.

Record source categories: Primary information is furnished by the individual to whom the record pertains. With consent of the individual, additional information is obtained from college/university registrars.

Systems exempted from certain provisions of the act: None.

Title 5-Administrative Personnel

Chapter III-Office of Management and Budget

Subchapter A-Administrative Procedures

PART 1302—PRIVACY ACT PROCEDURES

Sec.

1302.1 Rules for determining if an individual is the subject of a record.
1302.2 Requests for access.
1302.3 Access to the accounting of disclosures from records.
1302.4 Requests to amend records.
1302.5 Request for review.
1302.6 Schedule of fees.

Authority: Pub. L. 93–579, 88 Stat. 1896, 5 USC 552a(f).

Source: 41 FR 38491, Sept. 10, 1976, unless otherwise noted.

§ 1302.1 Rules for determining if an individual is the subject of a record.

(a) Individuals desiring to know if a specific system of records maintained by the Office of Management and Budget contains a record pertaining to them should address their inquiries to the Assistant to the Director for Administration, Office of Management and Budget, Washington, D.C. 20503. The written inquiry should contain a specific reference to the system of records maintained by OMB listed in the OMB Notices of Systems of Records or it should describe the type of record in sufficient detail to reasonably identify the system of records. Notice of OMB systems of records subject to the Privacy Act will be made in the **Federal Register** and copies of the notices will be available upon request to the Assistant to the Director for Administration when so published. A compilation of such notices will also be made and published by the Office of Federal Register, in accordance with section 5 U.S.C. 552a(f).

(b) At a minimum, the request should also contain sufficient information to identify the requester in order to allow OMB to determine if there is a record pertaining to that individual in a particular system of records. In instances when the information is insufficient to insure disclosure to the individual to whom the information pertains, in view of the sensitivity of the information, OMB reserves the right to ask the requester for additional identifying information.

(c) Ordinarily the requester will be informed whether the named system of records contains a record pertaining to the requester within 10 days of receipt of such a request (excluding Saturdays, Sundays, and legal Federal holidays). Such a response will also contain or reference the procedures which must be followed by the individual making the request in order to gain access to the record.

(d) Whenever a response cannot be made within the 10 days, the Assistant to the Director for Administration will inform the requester of the reasons for the delay and the date by which a response may be anticipated.

§ 1302.2 Requests for access.

(a) *Requirement for written requests.* Individuals desiring to gain access to a record pertaining to them in a system of records maintained by OMB must submit their request in writing in accordance with the procedures set forth in paragraph (b) of this section. Due to security measures in effect in both the Old and New Executive Office Buildings, requests made in person (walk-ins) cannot be accepted, except that individuals who are employed by the Office of Management and Budget may make their request on a regularly scheduled workday (Monday through Friday, excluding legal Federal holidays) between the hours of 9:00 a.m. and 5:30 p.m. Such requests for access by individuals employed by OMB need not be made in writing.

(b) *Procedures.* (1) *Content of the Request.* (i) The request for access to a record in a system of records shall be addressed to the Assistant to the Director for Administration, at the address cited above, and shall name the system of records or contain a description (as concise as possible) of such system of records. The request should state that the request is pursuant to the Privacy Act of 1974. In the absence of specifying solely the Privacy Act of 1974 and, if the request may be processed under both the Freedom of Information Act and the Privacy Act and the request specifies both or neither act, the procedures under the Privacy Act of 1974 will be employed. The individual will be advised that the procedures of the Privacy Act will be utilized, of the existence and the general effect of the Freedom of Information Act, and the difference between procedures under the two acts (e.g. fees, time limits, access). The request should contain necessary information to verify the identity of the requester (see § 1302.2(b)(2)(vi), below). In addition, the requester should include any other information which may assist in the rapid identification of the record for which access is being requested (e.g., maiden name, dates of employment, etc.) as well as any other identifying information contained in and required by the OMB Notice of Systems of Records.

(ii) If the request for access follows a prior request under § 1302.1, above, the same identifying information need not be included in the request for access if a reference is made to that prior correspondence, or a copy of the OMB response to that request is attached.

(iii) If the individual specifically desires a copy of the record, the request should so specify.

(2) *OMB action on request.* A request for access will ordinarily be answered within 10 days, except when the Assistant to the Director for Administration determines that access cannot be afforded in that time, in which case the requester will be informed of the reason for the delay and an estimated date by which the request will be answered. Normally, access will be granted within 30 days from the date the request was received by the Office of Management and Budget. At a minimum, the answer to the request for access shall include the following:

(i) A statement that there is a record as requested or a statement that there is not a record in the system of records maintained by OMB;

(ii) A statement as to whether access will be granted only by providing a copy of the record through the mail; or the address of the location and the date and time at which the record may be examined. In the event the requester is unable to meet the specified date and time, alternative arrangements may be made with the official specified in § 1302.2(b)(1) above;

(iii) A statement, when appropriate, that examination in person will be the sole means of granting access only when the Assistant to the Director for Administration has determined that it would not unduly impede the requester's right of access;

(iv) The amount of fees charged, if any (see § 1302.6 below) (Fees are applicable only to requests for copies.);

(v) The name, title, and telephone number of the OMB official having operational control over the record; and

(vi) The documentation required by OMB to verify the identity of the requester. At a minimum, OMB's verification standards include the following:

(A) *Current or former OMB employees.* Current or former OMB employees requesting access to a record pertaining to them in a system of records maintained by OMB may, in addition to the other requirements of this section, and at the sole discretion of the official having operational control over the record, have his or her identity verified by visual observation. If the current or former OMB employee cannot be so identified by the official having operational control over the records, identification documentation will be required. Employee identification cards, annuitant identification, driver licenses, or the "employee copy" of any official personnel document in the record are examples of acceptable identification validation.

(B) *Other than current or former OMB employees.* Individuals other than current or former OMB employees requesting access to a record pertaining to them in a system of records maintained by OMB must produce identification documentation of the type described herein, prior to being granted access. The extent of the identification documentation required will depend on the type of record to be accessed. In most cases, identification verification will be accomplished by the presentation of two forms of identification. Any additional requirements are specified in the system notices published pursuant to 5 U.S.C. 552a(e)(4).

(C) *Access granted by mail.* For records to be accessed by mail, the Assistant to the Director for Administration shall, to the extent possible, establish identity by a comparison of signatures in situations where the data in the record is not so sensitive that unauthorized access could cause harm or embarrassment to the individual to whom they pertain. No identification documentation will be required for the disclosure to the requester of information required to be made available to the public by 5 U.S.C. 552. When, in the opinion of the Assistant to the Director for Administration, the granting of access through the mail could reasonably be expected to result in harm or embarrassment if disclosed to a person other than the individual to whom the record pertains, a notarized statement of identity or some similar assurance of identity will be required.

(D) *Unavailability of identification documentation.* If an individual is unable to produce adequate identification documentation the individual will be required to sign a statement asserting identity and acknowledging that knowingly or willfully seeking or obtaining access to records about another person under false pretenses may result in a fine of up to 5,000 dollars. In addition, depending upon the sensitivity of the records sought to be accessed, the official having operational control over the records may require such further reasonable assurances as may be considered appropriate; e.g., statements of other individuals who can attest to the identity of the requester. No verification of identity will be required of individuals seeking access to records which are otherwise available to any person under 5 U.S.C. 552, Freedom of Information Act.

(E) *Access by the parent of a minor, or legal guardian.* A parent of a minor, upon presenting suitable personal identification, may access on behalf of the minor any record pertaining to the minor maintained by OMB in a system of records. A legal guardian may similarly act on behalf of an individual declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, absent a court order or consent, a parent or legal guardian has no absolute right to have access to a record about a child. Minors are not precluded from exercising on their own behalf rights given to them by the Privacy Act.

(F) *Granting access when accompanied by another individual.* When an individual requesting access to his or her record in a system of records maintained by OMB wishes to be accompanied by another individual during the course of the examination of the record, the individual making the request shall submit to the official having operational control of the record, a signed statement authorizing that person access to the record.

(G) *Denial of access for inadequate identification documentation.* If the official having operation control over the records in a system of records maintained by OMB determines that an individual seeking access has not provided sufficient identification documentation to permit access, the official shall consult with the Assistant to the Director for Administration prior to finally denying the individual access.

(H) *Review of decision to deny access.* Whenever the Assistant to the Director for Administration determines, in accordance with the procedures herein, that access cannot be granted, the response will also include a statement of the procedures to obtain a review of the decision to deny in accordance with § 1302.5 below.

(vii) *Exceptions.* Nothing in these regulations shall be construed to entitle an individual the right to access to any information compiled in reasonable anticipation of a civil action or proceedings. The mere fact that records in a system of records are frequently the subject of litigation does not bring those systems of records within the scope of this provision. This provision is not intended to preclude access by an individual to records which are available to that individual under other processes such as the Freedom of Information Act or the rules of civil procedure.

§ 1302.3 Access to the accounting of disclosures from records.

Rules governing the granting of access to the accounting of disclosures are the same as those for granting access to the records (including verification of identity) outlined in § 1302.2, above.

§ 1302.4 Requests to amend records.

(a) *Requirement for written requests.* Individuals desiring to amend a record that pertain to them in a system of records maintained by OMB, must submit their request in writing in accordance with the procedures set forth herein unless this requirement is waived by the official having responsibility for the system of records. Records not subject to the Privacy Act of 1974 will not be amended in accordance with these provisions. However, individuals who believe that such records are inaccurate may bring this to the attention of OMB.

(b) *Procedures.* (1) (i) The request to amend a record in a system of records shall be addressed to the Assistant to the Director for Administration. Included in the request shall be the name of the system and a brief description of the record proposed for amendment. In the event the request to amend the record is the result of the individual's having gained access to the record in accordance with the provisions concerning access to records as set forth above, copies of previous correspondence between the requester and OMB will serve in lieu of a separate description of the record.

(ii) When the individual's identity has been previously verified pursuant to § 1302.2(b)(2)(vi) herein, further verification of identity is not required as long as the communication does not suggest that a need for verification is present. If the individual's identity has not been previously verified, OMB may require identification validation as described in § 1302.2(b)(2)(vi). Individuals desiring assistance in the preparation of a request to amend a record should contact the Assistant to the Director for Administration at the address cited above.

(iii) The exact portion of the record the individual seeks to have amended should be clearly indicated. If possible, the proposed alternative language should also be set forth, or at a minimum, the facts which the individual believes are not accurate, relevant, timely, or complete should be set forth with such particularity as to permit OMB not only to understand the individual's basis for the request, but also to make an appropriate amendment to the record.

(iv) The request must also set forth the reasons why the individual believes his record is not accurate, relevant, timely, or complete. In order to avoid the retention by OMB of personal information merely to permit verification of records, the burden of persuading OMB to amend a record will be upon the individual. The individual must furnish sufficient facts to persuade the official in charge of the system of the inaccuracy, irrelevancy, timeliness, or incompleteness of the record.

(v) Incomplete or inaccurate requests will not be rejected categorically. The individual will be asked to clarify the request as needed.

(2) *OMB action on the request.* To the extent possible, a decision upon a request to amend a record will be made within 10 days, excluding Saturdays, Sundays, and legal Federal holidays. The response reflecting the decision upon a request for amendment will include the following:

(i) The decision of the Office of Management and Budget whether to grant in whole, or deny any part of the request to amend the record.

(ii) The reasons for the determination for any portion of the request which is denied.

(iii) The name and address of the official with whom an appeal of the denial may be lodged.

(iv) The name and address of the official designated to assist, as necessary, and upon request of, the individual making the request in the preparation of the appeal.

(v) A description of the review of the appeal within OMB (see § 1302.5 below).

(vi) A description of any other procedures which may be required of the individual in order to process the appeal.

If the nature of the request or the system of records precludes a decision within 10 days, the individual making the request will be informed within 10 days of the expected date for a decision. Such a decision will be issued as soon as it is reasonably possible, normally within 30 days from the receipt of the request (excluding Saturdays, Sundays, and legal Federal holidays) unless unusual circumstances preclude completing action within that time. If the expected completion date for the decision indicated cannot be met, the individual will be advised of that delay and of a revised date when the decision may be expected to be completed.

§ 1302.5 Request for review.

(a) Individuals wishing to request a review of the decision by OMB with regard to an initial request to access or amend a record in accordance with the provisions of §§ 1302.2 and 1302.4 above, should submit the request for review in writing and, to the extent possible, include the information specified in § 1302.5(b), below. Individuals desiring assistance in the preparation of their request for review should contact the Assistant to the Director for Administration at the address provided herein.

(b) The request for review should contain a brief description of the record involved or in lieu thereof, copies of the correspondence from OMB in which the request to access or to amend was denied and also the reasons why the requester believes that access should be granted or the disputed information amended. The request for review should make reference to the information furnished by the individual in support of his claim and the reasons as required by §§ 1302.2 and 1302.4 above set forth by OMB in its decision denying access or amendment. Appeals filed without a complete statement by the requester setting forth the reasons for the review will, of course, be processed. However, in order to make the appellate process as meaningful as possible, the requester's disagreement should be set forth in an understandable manner. In order to avoid the unnecessary retention of personal information, OMB reserves the right to dispose of the material concerning the request to access or amend a record if no request for review in accordance with this section is received by OMB within 180 days of the mailing by OMB of its decision upon an initial request. A request for review received after the 180 day period may, at the discretion of the Assistant to the Director for Administration, be treated as an initial request to access or amend a record.

(c) The request for review should be addressed to the Assistant to the Director for Administration.

(d) Upon receipt of a request for review, the Assistant to the Director for Administration will convene a review group composed of the Assistant to the Director for Administration, the General Counsel, or their designees, and the official having operational control over the record. This group will review the basis for the requested review and will develop a recommended course of action to the Deputy Director. If at any time additional information is required from the requester, the Assistant to the Director for Administration is authorized to acquire it or authorize its acquisition from the requester.

(e) The Office of Management and Budget has established an internal Committee on Freedom of Information and Privacy (hereinafter referred to as the Committee). The Committee is composed of:

(1) Deputy Director;

(2) Assistant to the Director for Administration;

(3) General Counsel;

(4) Assistant Director for Budget Review;

(5) Assistant Director for Legislative Reference;

(6) Assistant to the Director for Public Affairs;

(7) Deputy Associate Director for Information Systems;

(8) Deputy Associate Director for Statistical Policy;

(9) Deputy Associate Director for National Security;

(10) Budget and Management Officer;

(11) Personnel Officer.

(f) The Committee, when directed by the Assistant to the Director for Administration, will review the Office's administration of the Freedom of Information and Privacy Acts and make recommendations for the improvement thereto. In addition, the Committee, upon the request of the Deputy Director, may evaluate a request for review or appeal and recommend a decision to the Deputy Director, who has the final authority regarding appeals.

(g) The Deputy Director will inform the requester in writing of the decision on the request for review within 20 days (excluding Saturdays, Sundays, and legal Federal holidays) from the date of receipt by OMB of the individual's request for review unless the Deputy Director extends the 20 day period for good cause. The extension and the reasons therefor will be sent by OMB to the requester within the initial 20 day period. Such extensions should not be routine and should not normally exceed an additional thirty days. If the decision does not grant in full the request for amendment, the notice of the decision will provide a description of the steps the individual may take to obtain judicial review of such a decision, a statement that the individual may file a concise statement with OMB setting forth the individual's reasons for his disagreement with the decision and the procedures for filing such a statement of disagreement. The Assistant to the Director for Administration has the authority to determine the "conciseness" of the statement, taking into account the scope of the disagreement and the complexity of the issues. Upon the filing of a proper concise statement by the individual, any subsequent disclosure of the information in dispute will be clearly noted so that the fact that the record is disputed is apparent, a copy of the concise statement furnished and a concise statement by OMB setting forth its reasons for not making the requested changes, if OMB chooses to file such a statement. A notation of a dispute is required to be made only if an individual informs the agency of his disagreement with OMB's determination in accordance with § 1302.5 (a), (b) and (c). A copy of the individual's statement, and if it chooses, OMB's statement will be sent to any prior transferee of the disputed information who is listed on the accounting required by 5 U.S.C. 552a(c). If the reviewing official determines that the record should be amended in accordance with the individual's request, OMB will promptly correct the record, advise the individual, and inform previous recipients if an accounting of the disclosure was made pursuant to 5 U.S.C. 552(a)(c). The notification of correction pertains to information actually disclosed.

§ 1302.6 Schedule of fees.

(a) *Prohibitions against charging fees.* Individuals will not be charged for:

(1) The search and review of the record,

(2) Any copies of the record produced as a necessary part of the process of making the record available for access, or

(3) Any copies of the requested record when it has been determined that access can only be accomplished by providing a copy of the record through the mail.

(b) *Waiver.* The Assistant to the Director for Administration may at no charge, provide copies of a record if it is determined the production of the copies is in the interest of the Government.

(c) *Fee schedule and method of payment.* Fees will be charged as provided below except as provided in paragraphs (a) and (b) of this section.

(1) *Duplication of records.* Records will be duplicated at a rate of 0.10 cents per page for all copying of 4 pages or more. There is not charge for duplication 3 or fewer pages.

(2) Where it is anticipated that the fees chargeable under this section will amount to more than 25.00 dollars, the requester shall be promptly notified of the amount of the anticipated fee or such portion thereof as can readily be estimated. In instances where the estimated fees will greatly exceed 25.00 dollars, an advance deposit may be required. The notice or request for an advance deposit shall extend an offer to the requester to consult with Office personnel in order to reformulate the request in a manner which will reduce the fees, yet still meet the needs of the requester.

(3) Fees should be paid in full prior to issuance of requested copies. In the event the requester is in arrears for previous requests copies will not be provided for any subsequent request until the arrears have been paid in full.

(4) Remittances shall be in the form either of a personal check or bank draft drawn on a bank in the United States, or a postal money order. Remittances shall be made payable to the order of the Treasury of the United States and mailed or delivered to the Assistant to the Director for Administration, Office of Management and Budget, Washington, D.C. 20503.

(5) A receipt for fees paid will be given upon request.

MARINE MAMMAL COMMISSION

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MMC—1

System name: Applications for Permits to Take or Import Marine Mammals or to Import Marine Mammal Products for Purposes of Scientific Research or Public Display—MMC.

System location: Commission Offices, 1625 I Street, NW, Room 307, Washington, D.C. 20006; Commission Members' Offices, presently:

Dr.William E. Evans, Chairman,
Hubbs-Sea World Research Institute,
1700 South Shores Road,
Mission Bay,
San Diego, California 92109
Dr. Donald K.MacCallum,
Department of Anatomy,
4812 Medical Science II Building,
University of Michigan,
Ann Arbor, Michigan 48109
Dr. Robert B. Weeden,
Division of Life Sciences,
University of Alaska,
Bunnell Building, Room 203,
Fairbanks, Alaska 99701Committee of Scientific Advisors
Members' offices, presently:
Dr. David G. Ainley,
Point Reyes Bird Observatory,
4990 Shoreline Highway,
Stinson Beach, California 94970
Dr. Douglas G. Chapman, Chairman,
Center for Quantitative Science in Forestry,
Fisheries and Wildlife,
University of Washington, HR-20,
Seattle, Washington 98195
Dr. Paul K. Dayton (A-001),
Scripps Institution of Oceanography,
La Jolla, California 92093
Dr. Douglas P. DeMaster,
National Marine Fisheries Service,
Southwest Fisheries Center,
P.O. Box 271,
La Jolla, California 92038
Dr. Daryl P. Domning,
Department of Anatomy,
College of Howard University,
Washington, D.C. 20059
Dr. William W. Fox, Jr.,
Biology and Living Resources and Cooperative Institute of
Marine and Atmospheric Studies,
University of Miami,
4600 Rickenbacker Causeway,
Miami, Florida 33149
Dr. Bruce R. Mate,
Marine Science Center,
Oregon State University,
Marine Science Drive,
Newport, Oregon 97365
Dr. James G. Mead,
Curator of Mammals,
National Museum of Natural History,
Washington, D.C. 20560
Dr., William Medway,
School of Veterinary Medicine,
University of Pennsylvania,
3800 Spruce Street, Room 4035,
Philadelphia, Pennsylvania 19104

Categories of individuals covered by the system: Individuals who have submitted applications, as required by the Marine Mammal Protection Act of 1972 and regulations of the Departments of Interior and Commerce, for permits to take or import marine mammals or to import marine mammal products.

Categories of records in the system: Name, mailing address, telephone number, date of birth, height, weight, color of hair, color of eyes, sex, business or institutional affiliation, education and/or experience of the applicant which qualifies him/her to conduct the proposed activities.

Authority for maintenance of the system: Title II, Section 206(5) of the Marine Mammal Protection Act of 1972, 16 U.S.C. 1406(5).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix. Information contained in permit applications is used by the Commission, its Committee of Scientific Advisors, the Executive Director and his staff for the purpose of reviewing such applications and making recommendations thereon, regarding proper disposition of the application, to the Secretaries of Commerce and Interior in order to carry out the duties assigned to the Commission by the Marine Mammal Protection Act of 1972. Subsequent to final disposition of the application, records are maintained for use in connection with the review of future applications submitted by the same individuals. The records contained in the system also are available for inspection by members of the public.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in 8 1/2 by 11 inch folders in vertical file.

Retrievability: Manual—indexed by name of applicant.

Safeguards: Records are maintained in an office which is assessible only to authorized persons.

Retention and disposal: Records will be retained in the Commission offices during the life of the Commission. Copies forwarded to the offices of individual Commissioners and Committee members are disposed of after disposition of the permit application, or at such other times as are deemed appropriate by the Commissioners and Committee members.

Method of disposal: No particular method of disposal is followed.

System manager(s) and address: Executive Director, Marine Mammal Commission, 1625 I Street, NW, Room 307, Washington, D.C. 20006.

Notification procedure: An individual may obtain notification of whether the system of records contains a record pertaining to him/her by forwarding an inquiry to the System Manager, or by appearing in person, at the above address. See Commission regulations in 50 CFR 501.3.

Record access procedures: See Commission access regulations in 50 CFR 501.4, 501.5.

Contesting record procedures: The Commission's rules for contesting contents of records, and for appealing adverse determinations with respect thereto, are contained in 50 CFR 502.6 through 501.8. Assistance in obtaining access to or contesting the contents of records can be obtained from the System Manager at the above address.

Record source categories: Subject applicants.

MMC—2

System name: Personnel Files on Current, Past and Prospective Employees and Members of the Marine Mammal Commission and its Committee of Scientific Advisors—MMC.

System location: Commission offices, 1625 I Street, NW, Room 307, Washington, D.C. 20006; General Services Administration, Region 3, Office of Personnel, 7th & D Streets, SW, Room 1007, Washington, D.C. 20407.

Categories of individuals covered by the system: Present and past employees, individuals who have submitted solicited or unsolicited applications for employment, members of the Commission and Committee of Scientific Advisors, and individuals who have been invited to submit personal information for consideration as a potential member of the Committee.

Categories of records in the system: Name, address, telephone number, educational background, employment history, special employment qualifications, honors and awards, research and other activities relating to position, publications, letters of recommendation, and memoranda regarding conversations between Commission staff members and previous employers concerning quality of job performance.

Authority for maintenance of the system: Title II, Section 206(5) of the Marine Mammal Protection Act of 1972, 16 U.S.C. 1406(5).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix. Information contained in the system is used, in conjunction with data supplied on Standard Civil Service Commission forms, for the purpose of assessing the qualification of subject individuals for appointment to the various positions described above. The Chairman of the Commission, the Executive Director, and the Administrative Officer are authorized users of the System.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in 8 and one half by 11 inch folders in a locked vertical file.

Retrievability: Manual—indexed by name.

Safeguards: The system is maintained in a locked, metal safe, the access combination to which is known only by the Executive Director, his Administrative Officer, and one member of his support staff. Other members of the staff have been instructed that they are under no circumstances to make any use of the system except in accordance with procedures promulgated by the agency pursuant to Subsection 552a(f)(3) of the Privacy Act.

Retention and disposal: Records in the system will be retained during the life of the Commission.

Method of disposal: No particular method of disposal is followed.

System manager(s) and address: Executive Director, Marine Mammal Commission, 1625 I Street, NW, Room 307, Washington, D.C. 20006.

Notification procedure: An individual may obtain notification of whether the system of records contains a record pertaining to him/her by forwarding an inquiry to the System Manager, or by appearing in person, at the above address. See Commission regulations in 50 CFR 501.3.

Record access procedures. See Commission access regulations in 50 CFR 501.4, 501.5.

Contesting record procedures: The Commission's rules for contesting contents of records, and for appealing adverse determinations with respect thereto, are contained in 50 CFR 501.6 through 501.8. Assistance in obtaining access to or contesting the contents of records can be obtained from the System Manager at the above address.

Record source categories: Subject individuals; former and/or present employers of subject individuals; and others familiar with the individual and whom the individual has suggested as a reference.

MMC—3

System name: Research Proposals and Contracts-MMC.

System location: Commission offices, 1625 I Street, NW, Room 307, Washington, D.C. 20006; Commission Members' Offices, presently: Same as MMC-1.Committee of Scientific Advisors Members' Offices, presently: Same as MMC-1.

Categories of individuals covered by the system: Individuals who have submitted proposals to conduct scientific research, including those to whom research contracts have been awarded.

Categories of records in the system: Name, address, telephone number, educational background, employment history, honors and awards, part research activities, publications, records of payments made to individuals pursuant to research contracts that have been awarded.

Authority for maintenance of the system: Title II, Section 206(5) of the Marine Mammal Protection Act of 1972, 16 USC 1406(5).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix. Research proposals, containing personal qualifications information, are utilized by the Scientific Program Director and other members of the Commission staff, outside consultants, and Members of the Commission and the Committee for the purpose of determining the merit of such proposals. Records of contract payments are utilized by the Scientific Program Director, the Executive Director and his staff, and members of the Commissions and Committee for purposes of budgeting, contract review, and evaluation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in 8 and one half by 11 inch folders in a vertical file.

Retrievability: Manual—indexed by name.

Safeguards: Records are maintained in an office which is accessible only to authorized persons.

Retention and disposal: Records in the system will be retained during the life of the Commission.

Method of disposal: None.

System manager(s) and address: Executive Director, Marine Mammal Commission, 1625 I Street, NW, Room 307, Washington, D.C. 20006.

Notification procedure: An individual may obtain notification of whether the system of records contains a record pertaining to him/her by forwarding an inquiry to the System Manager, or by appearing in person, at the above address. See Commission regulations in 50 CFR 501.3.

Record access procedures: See Commission access regulations in 50 CFR 501.4, 501.5.

Contesting record procedures: The Commission's rules for contesting contents of records, and for appealing adverse determinations with respect thereto, are contained in 50 CFR 501.6 through 501.8. Assistance in obtaining access to or contesting and contents of records can be obtained from the System Manager at the above address.

Record source categories: Subject individuals, Research Program Director, and othe Commission personnel administering contract payments.

MMC—4

System name: General Financial Records—MMC.

System location: General Services Administration, Central Office; copies held by the Commission. (GSA holds records for Commission under contract.)

Categories of individuals covered by the system: Commission employees.

Categories of records in the system: SF 1038, Application and account for advance of funds; Vendor register and vendor payment tape. Information is used by accounting technicians to maintain adequate financial information and by other officers and employees of GSA and the Commission who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally; Section 206(5) of the Marine Mammal Protection Act of 1972, 16 U.S.C. 1406(5).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix. Records also are released to GAO for audits; to the IRS for investigation; and to private attorneys, pursuant to a power of attorney.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and tape.

Retrievability: Manual and automated by name.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2)/

System manager(s) and address: Executive Director, Marine Mammal Commission, 1625 I Street, NW, Washington, D.C. 2006. Room 307.

Notification procedure: See Commission access regulations in 50 CFR 501.3.

Record access procedures: See Commission access regulations in 50 CFR 501.4, 501.5.

Contesting record procedures: See Commission regulations in 50 CFR 501.6 through 501.8.

Record source categories: The subject individual; the Commission.

MMC—5

System name: Payroll Records—MMC.

System location: Commission Offices, 1625 I Street, NW, Room 307, Washington, D. C. 20006; General Services Administration, Region 3, 1500 East Bannister Road, Kansas City, Missouri 64131.

Categories of individuals covered by the system: Past and present Commission employees.

Categories of records in the system: Varied payroll records, including, among other documents, time and attendance cards; payment vouchers; comprehensive listing of employees; health benefits records, requests for deductions, tax forms; W-2 forms; overtime requests; leave data; retirement records. Records are used by Commission and GSA employees to maintain adequate payroll information for Commission employees and otherwise by Commission and GSA employees who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix. Records also are released to GAO for audits; to the Internal Revenue Service for investigation; and to private attorneys, pursuant to a power of attorney.

A copy of an employee's Department of the Treasury Form W-2, Wage and Tax Statement, also is disclosed to the State, city, or other local jurisdiction which is authorized to tax the employee's compensation. The record will be provided in accordance with a withholding agreement between the State, city, or other local jurisdiction and the Department of the Treasury pursuant to 5 U.S.C. 5516, 5517, or 5520, or, in the absence thereof, in response to a written request from an appropriate official of the taxing jurisdiction to the Executive Director, Marine Mammal Commission, 1625 I Street, NW, Room 307, Washington, D.C. 20006. The request must include a copy of the applicable statute or ordinance authorizing the taxation of compensation and should indicate whether the authority of the jurisdiction to tax the employee is based on place of residence, place of employment, or both.

Pursuant to a withholding agreement between a city and the Department of the Treasury (5 U.S.C. 5520), copies of executed city and the Department of the Treasury (5 U.S.C. 5520), copies of executed city tax withholding certificates shall be furnished the city in response to written request from an appropriate city official to the Executive Director of the Marine Mammal Commission.

In the absence of a withholding agreement, the Social Security Number will be furnished only to a taxing jurisdiction which has furnished this agency with evidence of its independent authority to compel disclosure of the Social Security Number, in accordance with section 7 of the Privacy Act, Pub. L. 93-579.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microfilm.

Retrievability:

Social Security Number.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with HB GSA Records Maintenance and Disposition System (OAD P 1820.2)

System manager(s) and address:

Executive Director, Marine Mammal Commission, 1625 I Street, NW, Washington, D.C. 20006.

Notification procedure: See Commission access regulations in 50 CFR 501.3.

Record access procedures: See Commission access regulations in 50 CFR 501.4, 501.5.

Contesting record procedures: See Commission regulations in 50 CFR 501.6 through 501.8.

Record source categories: The subject individual; the Commission.

APPENDIX MMC

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a "routine use" to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract or the issuance of a license grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee.

A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of Federal personnel management.

A record from this system of records may be disclosed to officers and employees of a Federal agency for purposes of audit.

A record from this system of records may be disclosed to officers and employees of the General Services Administration in connection with administrative services provided to the agency under agreement with GSA.

Disclosure may be made, as a routine use, to a Congressional office from the record of an individual contained in any of the Commission's systems in response to an inquiry from the Congressional office made at the request of that individual.

Title 50-Wildlife and Fisheries

Chapter V-Marine Mammal Commission

PART 501-IMPLEMENTATION OF THE PRIVACY ACT OF 1974

Sec.
501.1 Purpose and scope.
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501.8 Appeal of initial denial of a request for amendment or correction.
501.9 Fees.

Authority: Sec. 3, Privacy Act of 1974 (5 U.S.C. 552a(f).)

Source: 40 FR 49276, Oct. 21, 1975, unless otherwise noted.

§ 501.1 Purpose and Scope.

(a) *Purpose*. The purpose of these rules is to fulfill the responsibilities of the Marine Mammal Commission (the "Commission") under Section 3 of the Privacy Act of 1974, 5 U.S.C. 552a(f) (the "Act") by establishing procedures whereby an individual will be notified if any system of records maintained by the Commission contains a record pertaining to him or her; by defining the times and places at which records will be made available and the identification requirements which must be met by any individual requesting access to them; by establishing procedures for disclosure to an individual, on request, of any record pertaining to him or her; and by establishing procedures for processing, reviewing, and making a final determination on requests of individuals to correct or amend a record pertaining to him or her, including a provision for administrative appeal of initial adverse determinations on such requests. These rules are promulgated with particular attention to the purposes and goals of the Act, and in accordance therewith provide for relative ease of access to records pertaining to an individual, and for maintenance by the Commission of only those records which are current, accurate, necessary, relevant and complete with respect to the purposes for which they were collected.

(b) *Scope*. These rules apply only to "record" contained in "systems of records," defined by the Act as follows:

> The term "record" means any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph;
>
> The term "system of records" means of group of any record under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

Notices with respect to the systems maintained by the Commission have been published in the **Federal Register**, as required by the Act. These rules pertain only to the systems of records disclosed in such notices, and to any systems that may become the subject of a notice at any time in the future.

(c) Nothing in these rules shall be construed as pertaining to requests made under the Freedom of Information Act, 5 U.S.C. 552.

§ 501.2 Definitions.

(a) As used in this Part:

(1) The term "Act" means the Privacy Act of 1974, 5 U.S.C. 552a.

(2) The term "Commission" means the Marine Mammal Commission.

(3) The term "Director" means the Executive Director of the Marine Mammal Commission.

(4) The term "Privacy Officer" means an individual designated by the Director to receive all requests regarding the existence of records, requests for access and requests for correction or amendment; to review and make initial determinations regarding all such requests; and to provide assistance to any individual wishing to exercise his or her rights under the Act.

(b) Other terms shall be used in this part in accordance with the definitions contained in section 3 of the Privacy Act of 1974, 5 U.S.C. 552a(a).

§ 501.3 Procedure for responding to requests regarding the existence of records pertaining to an individual.

Any individual may submit a request to be notified whether a system of records, with respect to which the Commission has published a notice in the **Federal Register**, contains a record pertaining to him or her. Requests may be made in writing to the Privacy Officer or by appearing in person at the Commission offices located at 1625 I Street, NW., Room 307, Washington, D.C. 20006 between the hours of 9:00 a.m. and 5:00 p.m. on any working day. Systems of records that are the subject of a request should be identified by reference to the system name designated in the Notice of Systems of Records published in the **Federal Register**. In the event a system name is not known to the individual, a general request will suffice if it indicates reasons for the belief that a record pertaining to the named individual is maintained by the Commission. Receipt of inquiries submitted by mail will be acknowledged within 10 days of receipt (excluding Saturdays, Sundays, and legal public holidays) unless a response can also be prepared and forwarded to the individual within that time.

§ 501.4 Requests for access—times, places and requirements for identification of individuals.

Requests for access to a system of records pertaining to any individual may be made by that individual by mail addressed to the Privacy Officer, or by submitting a written request in person at the Commission offices located at 1625 I Street, NW., Room 307, Washington, D.C. 20006, between the hours of 9 a.m. and 5 p.m. on any working day. Assistance in gaining access under this section, securing an amendment or correction under § 501.6, or preparing an appeal under §§ 501.5(d) and 501.8 shall be provided by the Privacy Officer on request directed to the Commission office. An individual appearing in person at the Commission offices will be granted immediate access to any records to which that individual is entitled under the Act upon satisfactory proof of identity by means of a document bearing the individual's photograph or signature. For requests made by mail, identification of the individual shall be adequate if established by means of submitting a certificate of a notary public, or equivalent officer empowered to administer oaths, substantially in accord with the following:

> City of ———— County of ————: ss (Name of individual) who affixed (his) (her) signature below in my presence, came before me, a (Title), in the aforesaid County and State, this ——— day of ———, 19—, and established (his)(her) identity to my satisfaction.
>
> My Commission expires —————.

The certificate shall not be required, however, for written requests pertaining to non-sensitive information or to information which would be required to be made available under the Freedom of Information Act. The Privacy Officer shall determine the adequacy of any proof of identity offered by an individual.

[41 FR 5, Jan. 2, 1976]

§ 501.5 Disclosure of requested information.

(a) Upon request and satisfactory proof of identity, an individual appearing at the Commission offices shall be given immediate access to and permission to review any record, contained in a system of records, pertaining to him or her, shall be allowed to have a person of his/her choosing accompany him/her, and shall be given a copy of all or any portion of the record. The individual to which access is granted shall be required to sign a written statement authorizing the presence of the person who accompanies him or her, and authorizing discussion of his or her record in the presence of the accompanying person.

(b) Requests made by mail to the Privacy Officer at the Commission offices will be acknowledged within 10 days from date of receipt (excluding Saturdays, Sundays, and legal public holidays). This acknowledgement shall advise the individual whether access to the record will be granted and, if access is granted, copies of such records shall be enclosed.

(c) If the Privacy Officer initially determines to deny access to all or any portion of a record, notice of denial shall be given to the individual in writing, within 30 days (excluding Saturdays, Sundays and holidays) after acknowledgement is given, and shall include the following:

(1) The precise record to which access is being denied;

(2) The reason for denial, including a citation to the appropriate provisions of the Act and of these Rules;

(3) A statement that the denial may be appealed to the Director;

(4) A statement of what steps must be taken to perfect an appeal to the Director; and,

(5) A statement that the individual has a right to judicial review under 5 U.S.C. 552a(g)(1) of any final denial issued by the Director.

(d) Administrative appeal of an initial denial, in whole or in part, of any request for access to a record, shall be available. An individual may appeal by submitting to the Director a written request for reconsideration stating therein specific reasons for reversal which address directly the reasons for denial stated in the initial notice of denial. If access is denied on appeal, a final notice of denial shall be sent to the individual within 30 days (excluding Saturdays, Sundays and holidays), and shall state with particularity the grounds for rejecting all reasons for reversal submitted by the individual. The denial shall then be deemed final for purposes of obtaining judicial review.

[40 FR 49276, Oct. 21, 1975, as amended at 41 FR 5, Jan. 2, 1976]

§ 501.6 Requests for correction or amendment of a record.

(a) Any individual may request the correction or amendment of a record pertaining to him or her in writing addressed to the Privacy Officer at the Commission offices. Verification of identity required for such requests shall be the same as that specified in § 501.4 above with respect to requests for access. Records sought to be amended must be identified with as much specificity as is practicable under the circumstances of the request, and at a minimum, should refer to the system name designated in the Notice of System Records published in the **Federal Register**, the type of record in which the information thought to be improperly maintained or incorrect is contained, and the precise information that is the subject of the request (for example, system name, description of record, paragraph, sentence, line, words). Assistance in identifying a record, and in otherwise preparing a request, may be obtained by contacting the Privacy Officer at the Commission offices.

(b) A request should, in addition to identifying the individual and the record sought to be amended or corrected, include:

(1) The specific wording or other information to be deleted, if any;

(2) The specific wording or other information to be inserted, if any, and the exact place in the record at which it is to be inserted, and,

(3) A statement of the basis for the requested amendment or correction (e.g. that the record is inaccurate, unnecessary, irrelevant, untimely, or incomplete), together with supporting documents, if any, which substantiate the statement.

§ 501.7 Agency review of requests for amendment or correction of a record.

(a) Where possible, each request for amendment or correction shall be reviewed, and a determination on the request made, by the Privacy Officer within 10 days of receipt (excluding Saturdays, Sundays and holidays). Requests shall be acknowledged within that period where insufficient information has been provided to enable action to be taken. An acknowledgement shall inform the individual making the request of the estimated time within which a disposition of the request is expected to be made, and shall prescribe such further information as may be necessary to process the request. The request shall be granted, or an initial decision to deny shall be made, within ten days of receipt of all information specified in the acknowledgement (excluding Saturdays, Sundays and holidays).

(b) Within 30 days (excluding Saturdays, Sundays and holidays) after arriving at a decision on a request, the Privacy Officer shall either:

(1) Make the requested amendment or correction, in whole or in part, and advise the individual in writing of such action; or,

(2) Advise the individual in writing that the request has been initially denied, in whole or in part, stating, with respect to those portions denied:

(i) The date of the denial;

(ii) The reasons for the denial, including a citation to an appropriate section of the Act and these Rules; and,

(iii) The right of the individual to prosecute an appeal and to obtain judicial review should a final denial result from the appeal.

(c) In reviewing a request for amendment or correction of a record, the Privacy Officer shall consider the following criteria:

(1) The sufficiency of the evidence submitted by the individual;

(2) The factual accuracy of the information sought to be amended or corrected;

(3) the relevance and necessity of the information sought to be amended or corrected in terms of the purposes for which it was collected;

(4) The timeliness and currency of the information sought to be amended or corrected in terms of the purposes for which it was collected;

(5) The completeness of the information sought to be amended or corrected in terms of the purposes for which it was collected;

(6) The degree of possibility that denial of the request could unfairly result in determinations adverse to the individual;

(7) The character of the record sought to be corrected or amended; and,

(8) The propriety and feasibility of complying with the specific means of correction or amendment requested by the individual. If an amendment or correction is otherwise permissible under the Act and other relevant statutes, a request shall be denied only if the individual has failed to establish, by a preponderance of the evidence, the propriety of the amendment or correction in light of these criteria.

[40 FR 49276, Oct. 21, 1975, as amended at 41 FR 5, Jan. 2, 1976]

§ 501.8 Appeal of initial denial of a request for amendment or correction.

(a) The initial denial of a request for amendment or correction may be appealed by submitting to the Director the following appeal papers:

(1) A copy of the original request for amendment or correction:

(2) A copy of the initial denial: and

(3) A precise statement of the reasons for the individual's belief that the denial is in error. referring specifically to the criteria contained in § 501.7(c)(1–8).

The appeal must be signed by the individual. While these papers normally will constitute the entire Record on Appeal. the Director may add additional information. from sources other than the individual. where necessary to facilitate a final determination. Any such additional information added to the record shall promptly be disclosed to the individual to the greatest extent possible. and an opportunity for comment thereon shall be afforded prior to the final determination. Appeals should be submitted to the Director within 90 days after the date of the initial denial.

(b) The Director shall issue a final determination on appeal within thirty days (excluding Saturdays. Sundays. and legal public holidays) from the date on which a completed Record on Appeal (including any additional information deemed necessary) is received. Review. and final determination by the Director. shall be based upon the criteria specified in § 501.7(c)(1–8).

(c) If the appeal is resolved favorably to the individual. the final determination shall specify the amendments or corrections to be made. Copies of the final determination shall be transmitted promptly to the individual and to the Privacy Officer. The Privacy Officer shall make the requested amendment or correction and advise the individual in writing of such action.

(d) If the appeal is denied. the final determination shall state. with particularity. the reasons for denial. including a citation to an appropriate section of the Act and of these Rules. The final determination shall be forwarded promptly to the individual. together with a notice which shall inform the individual of his or her right to submit to the Privacy Officer. for inclusion in the record. a concise statement of grounds for disagreement with the final determination. Receipt of any such statement shall be acknowledged by the Privacy Officer. and all subsequent and prior users of the record shall be provided copies of the statement. The notice shall also inform the individual of his or her right. under 5 U.S.C. 552a(g)(1). to obtain judicial review of the final determination.

[40 FR 49276. Oct. 21. 1975. as amended at 41 FR 5. Jan. 2. 1976]

§ 501.9 Fees.

A fee of $0.10 shall be charged for each copy of each page of a record made. by photocopy or similar process. at the request of an individual. No fee shall be charged for copies made at the initiative of the Commission incident to granting access to a record. A total copying fee of $2.00 or less may be waived by the Privacy Officer. but fees for all requests made contemporaneously by an individual shall be aggregated to determine the total fee.

[41 FR 5. Jan. 2. 1976]

MERIT SYSTEMS PROTECTION BOARD

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APPENDIX

MSPB/INTERNAL-1

System name:

Pay, Leave, and Travel Records.

System location:

Office of the Comptroller, Merit Systems Protection Board (MSPB), 1120 Vermont Avenue, NW., Washington, D.C. 20419, and MSPB Regional Offices.

Categories of individuals covered by the system:

Current and former employees of the Merit Systems Protection Board.

Categories of records in the system:

This system, both manual and automated, contains various records relating to pay, leave, and travel. This includes information such as: Name; date of birth; social security number; home address; grade; employing organization; timekeeper number; salary; pay plan; number of hours worked; leave accrual, usage, and balance; Civil Service Retirement contributions; FICA withholdings; Federal, State, and Local tax withholdings; Federal Employees' Group Life Insurance withholdings; Federal Employees' Health Benefits Withholdings; charitable deductions; allotments to financial organizations; garnishment documents; savings bond allotments; union and management association dues withholding allotments; and travel expenses.

Authority for maintenance of the system:

5 U.S.C. 1205, 5501 et seq., 5525 et seq., 5701 et seq., and 6301 et seq.; 31 U.S.C. 66a.

Purpose(s):

These records are used to administer the pay, leave, and travel functions of the Merit Systems Protection Board.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from these records may be disclosed:

a. To the Department of the Treasury to issue checks and U.S. Savings Bonds.

b. To the Department of Labor in connection with a claim filed by an employee for compensation due to a job-connected injury or illness.

c. To State offices of unemployment compensation in connection with claims filed by former MSBP employees for unemployment compensation.

d. To Federal Employees' Group Life Insurance or Health Benefits carriers in connection with survivor annuity or health benefits claims or records reconciliations.

e. To the Internal Revenue Service and State and local tax authorities.

f. To the Social Security Administration in connection with FICA withholdings and benefits.

g. To the Office of Personnel Management in connection with payroll deductions for Civil Service retirement plans.

h. To the Combined Federal Campaign in connection with payroll deductions for charity.

i. To the authorized employees of another Federal agency that provides MSPB with manual and automated assistance in processing pay, leave, and travel records.

j. In the event the individual to whom the record pertains dies, to the person appointed as representative of the estate, or the person designated by the representative, or to a designated beneficiary. When a representative of the estate has not been appointed, the individual's next of kin may be recognized as the representative of the estate.

k. To officials of labor organizations recognized under 5 U.S.C. Chapter 71 as to the identity of Board employees contributing union dues each pay period and the amount of dues withheld from each contributor.

l. To officials of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting working conditions.

m. To the appropriate Federal State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the MSPB becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

n. To any source from which the MSPB requests additional information relevant to an MSPB determination concerning an individual's pay, leave, or travel expenses, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and to identify the type of information requested.

o. To the Federal agency, at its request, for purposes connected with: The hiring or retention of an employee; the issuance of a security clearance; the conduct of a suitability or security investigation of an individual; the classification of a job; the letting of a contract; or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

p. To the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

q. To a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

r. To another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

s. To the National Archives and Records Administration (General Services Administration) pursuant to records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

t. In response to a request for discovery or for appearance of a witness, if the information is relevant to the subject matter involved in a pending judicial or administrative proceeding.

u. To officials of the Office of Personnel Management, the Federal Labor Relations Authority and the Equal Employment Opportunity Commission when requested in the performance of their authorized duties.

v. To the General Accounting Office for auditing purposes.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3))."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders and loose leaf binders, and on cards, magnetic tapes and discs.

Retrievability:

These records are retrieved by name, social security number, or Merit Systems Protection Board employee identification number.

Safeguards:

These records are located in lockable metal filing cabinets or in a secured facility and are available only to authorized personnel.

Retention and disposal:

These records are maintained for varying periods of time in accordance with GSA General Records Schedule 2. Disposal of manual records is by shredding or burning; magnetic tapes and discs are erased.

System manager(s) and address:

Office of the Comptroller, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, D.C. 20419.

Notification procedure:

Individuals wishing to determine whether this system of records contains information about them should contact the System Manager indicated above or the MSPB Regional Office where the individual is or was employed. Individuals must furnish the following information for their records to be located and identified:

a. Full name; and

b. Date of birth.

Individuals making inquiries as to the existence of records pertaining to themselves must also follow the MSPB's Privacy Act regulations set forth at 5 CFR 1205.11 regarding such inquiries.

Record access procedures:

Individuals requesting access to their records should contact the System Manager indicated above or the MSPB Regional Office where the individual is or was employed. Individuals must furnish the following information for their records to be located and identified:

a. Full name; and

b. Date of birth.

Individuals requesting access must also follow the MSPB's Privacy Act regulations set forth at 5 CFR 1201.11 regarding access to records and verification of identity.

Contesting record procedures:

Individuals wishing to request amendment of records about them should contact the System Manager indicated above, or the MSPB Regional Office where the individual is or was employed. Individuals must furnish the following information for their records to be located and identified:

a. Full name; and

b. Date of birth.

Individuals requesting amendment of their records must also follow the MSPB's Privacy Act regulations set forth at 5 CFR 1205.21 regarding amendment of records and verification of identity.

Record source categories:

a. The individual to whom the record pertains;

b. Merit Systems Protection Board officials responsible for pay, leave and travel functions; and

c. Other official personnel documents of MSPB.

MSPB/INTERNAL-2

System name:

Motor Vehicle and Accident Report Records.

System location:

Director, Administrative Services Division, Office of Administration, Merit Systems Protection Board (MSPB) 1120 Vermont Avenue, NW, Washington, D.C. 20419, and MSPB Regional Offices (see list of Regional Office addresses in the Appendix).

Categories of individuals covered by the system:

Current and former employees of the Merit Systems Protection Board.

Categories of records in the system:

The system contains documents related to the authorization and issuance to an individual of a Government motor vehicle operator's permit; also included are reports, correspondence, and fiscal documents concerning automobile accidents occurring in a Government-owned or leased automobile or in a privately-owned vehicle while on official business.

Authority for maintenance of the system:

5 U.S.C. 1205, 28 U.S.C. 2671 et seq.

Purpose(s):

The records serve to document issuance of a Government motor vehicle operator's accident reports and related document may be used in claims settlement litigation regarding an accident involving a Government motor vehicle or privately-owned vehicle while being used on official business.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from these records may be disclosed:

a. To the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the MSPB becomes aware of a violation or potential violation of civil or criminal law or regulation.

b. To any source from which the MSPB requests additional information (to the extent necessary to identify the individual, inform the source of the purpose of the request, and identify the type of information requested) where necessary to obtain information relevant to an MSPB decision concerning the hiring or retention of an employee, the issuance of a security clearance, the conduct of a security or suitability investigation of an individual, the classification of jobs, the letting of a contract, or the issuance of a grant or other benefit.

c. To a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

d. To another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

e. To the National Archives and Records Administration (General Services Administration) pursuant to records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

f. To officials of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting working conditions.

g. To a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conduct of a suitability or security investigation, the classification of jobs, or the award of a contract, license, grant or other benefit.

h. To the General Services Administration about accidents involving Government-owned or leased automobiles.

i. To insurance carriers about accidents involving privately-owned vehicles.

j. In response to a request for discovery or for the appearance of a witness, if the information is relevant to the subject matter involved in a pending judicial or administrative proceeding.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders and on indexed application cards.

Retrievability:

Records are retrieved by name of the individual on whom they are maintained.

Safeguards:

Records are maintained in a secured area and are available only to authorized personnel whose duties require access.

Retention and disposal:

Motor vehicle operator records are maintained for three years after the separation of the employee (operator) and are destroyed by shredding. Accident reports are maintained for three years after the date of the report and are destroyed by shredding, except in cases involving litigation. In cases involving litigation, these records are maintained until all litigation has been settled.

System manager(s) and address:

a. For motor vehicle operator records: Director, Administrative Services Division, Office of Administration, Merit System Protection Board, 1120 Vermont Avenue, NW, Washington, D.C. 20419.

b. For accident report records: General Counsel, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, D.C. 20419.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contact the appropriate office as follows:

a. For accident report records: Contact the System Manager indicated above;

b. For motor vehicles operator records for current or former MSPB employees: Contact the System Manager indicated above; or the MSPB Regional Office in which employed (see list of Regional Office addresses in the Appendix).

Individuals must furnish the following information for their records to be located and identified:

a. Full name; and

b. Date of birth.

Individuals making inquiries as to the existence of records pertaining to themselves must also follow the Board's Privacy Act regulations set forth at 5 CFR 1205.11 regarding such inquiries.

Record access procedures:

Individuals wishing to request access to records about them should contact the appropriate office as follows:

a. For accident report records: Contact the System Manager indicated above;

b. For motor vehicle operator records of current or former MSPB employees: Contact the System Manager indicated above or the MSPB Regional Office in which employed (see list of Regional Office addresses in the Appendix).

Individual must furnish the following information for their records to be located and identified:

a. Full name; and

b. Date of birth.

Individuals requesting access must also follow the MSPB's Privacy Act regulations set forth at 5 CFR 1205.11 concerning access to records and verification of identity.

Contesting record procedures:

Individuals wishing to request amendment of their records should contact the appropriate office as follows:

a. For accident report records: Contact the System Manager for these records indicated above;

b. For motor vehicle operator records for current or former MSPB employees: Contact the System Manager indicated above; or the MSPB Regional Office in which employed (see list of Regional Office addresses in the Appendix).

Individuals must furnish the following information for their records to be located and identified:

a. Full name; and

b. Date of birth.

Individuals requesting amendment must also follow the MSPB's Privacy Act regulations set forth at 5 CFR 1205.21 regarding amendment of records and verification of identity.

Record source categories:

a. The individual to whom the record pertains;

b. MSPB employees and other parties involved in the accident;

c. Witnesses to the accident;

d. Police reports and reports of investigation; and

e. Officials of the MSPB and the General Services Administration.

MSPB/INTERNAL-3

System name:

Grievance Records.

System location:

Personnel Management Division, Office of Administration, Merit Systems Protection Board (MSPB), 1120 Vermont Avenue, NW, Washington, D.C. 20419

Categories of individuals covered by the system:

Current and former employees of the Merit Systems Protection Board who have filed grievances in accordance with the MSPB's procedures as established under 5 CFR Part 771, Subpart C.

Categories of records in the system:

The system contains records relating to grievances filed by MSPB employees. The case files contain all documents related to the grievance, including statements of witnesses, reports or transcripts of interviews and hearings, the employee's written request for reviews of the initial grievance, designation of the grievance examiner, any written comments by the grievant or his/her representative upon review of the file at the completion of the inquiry, the examiner's report of findings and recommendations, the grievance decision, and correspondence and exhibits related to the grievance. The system does not include files and records of any grievance filed under negotiated procedures with recognized labor organizations.

Authority for maintenance of the system:

5 U.S.C. 1205, 5 CFR Part 771.

Purpose(s):

These records are used to process grievance filed by MSPB employees for personal relief in matters of concern or dissatisfaction that are subject to the control of MSPB management.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from these records may be disclosed:

a. To any source from which the MSPB requests additional information in the course of processing a grievance, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and identify the type of information requested.

b. To the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the MSPB becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

c. To a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of security or suitability investigation of an individual, the classifying of jobs, the letting of a contract or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

d. To a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

e. To another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

f. To the National Archives and Records Administration (General Services Administration) pursuant to records management inspection conducted under authority of 44 U.S.C. 2904 and 2906.

g. To officials of the Office of Personnel Management; the Federal Labor Relations Authority; and the Equal Employment Opportunity Commission when requested in performance of their authorized duties.

h. In response to a request for discovery or for appearance of a witness, if the information is relevant to the subject matter involved in a pending judicial or administrative proceeding.

i. To officials of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting work conditions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders.

Retrievability:

These records are retrieved by the names of the individuals on whom they are maintained.

Safeguards:

These records are maintained in lockable metal filing cabinets to which only authorized personnel have access.

Retention and disposal:

These records are disposed of three years after closing of the case. Disposal is by shredding.

System manager(s) and address:

Director of Personnel, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, D.C. 20419.

Notification procedure:

Individuals wishing to determine whether this system of records contains information about them should contact the System Manager indicated above. Individuals who have filed grievances are aware of that fact and have been given an opportunity to review the record. Individuals must furnish the following information for their records to be located and identified:

a. Full name;

b. Date of birth; and

c. Approximate date of closing of the case and kind of action taken.

Individuals making inquiries as to the existence of records pertaining to themselves must also follow the MSPB's Privacy Act regulations set forth at 5 CFR 1205.1 regarding such inquiries.

Record access procedures:

Individuals requesting access to their records should contact the System Manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Full name;

b. Date of birth; and

c. Approximate date of closing of the case and kind of action taken.

Individuals requesting access must also follow the MSPB's Privacy Act regulations set forth at 5 CFR 1205.11 regarding access to records and verification of identity.

Contesting record procedures:

Review of requests from individuals seeking amendment of their records which have been the subject of a judicial or quasijudicial action will be limited in scope. Review of amendment requests of these records will be restricted to determining if the record accurately documents the action of the officer ruling on the case, and will not include a review of the merits of the action, determination, or finding.

Individuals wishing to request amendment of their records to correct factual errors should contact the System Manager indicated above. Individuals must furnish the following information for their records to be located and identified.

a. Full name;

b. Date of birth; and

c. Approximate date of closing of the case and kind of action taken.

Individuals requesting amendment must also follow the MSPB's Privacy Act regulations set forth at 5 CFR 1205.21 regarding amendment of records and verification of identity.

Record source categories:

a. The individual on whom the record is maintained;

b. Witnesses;

c. Agency officials; and

d. Related correspondence from organizations or persons.

MSPB/INTERNAL-4

System name:

Employee Incentive Awards and Recognition Records.

System location:

Personnel Management Division, Office of Administration, Merit Systems Protection Board (MSPB), 1120 Vermont Avenue, NW, Washington, D.C. 20419.

Categories of individuals covered by the system:

Current and former employees of the Merit Systems Protection Board who have been nominated for special recognition for achievements either within or outside the employee's job responsibilities and for length of service to the Government.

Categories of records in the system:

This system contains information including or relating to the name, title, grade, duty station, and length of service; incentive award or quality step increase recipients; the recommendation, authorization disposition actions by approving officials; and related documentation and correspondence.

Authority for maintenance of the system:

5 U.S.C. 1205, 5 U.S.C. 4501 et seq. and 5 U.S.C. 5336.

Purpose(s):

These records are collected and maintained to provide a basis for the recognition of MSPB employees through the granting of incentive awards and quality step increase.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from these records may be disclosed:

a. To other Federal agencies and other organizations to process and approve suggestions and nominations for awards or quality step increases for MSPB employees.

b. To the Office of Attorney General and the President of the United States in reviewing recommended awards.

c. To other government agencies to recommend whether suggestions should be adopted in instances where the suggestion made by an MSPB employee affects the functions or responsibilities of the agencies.

d. To a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

e. To other public (Federal, State, or local) or private organizations, including news media, which grant or publicize employee awards or honors.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders.

Retrievability:

These records are retrieved by the office to which the employee is or was assigned at the time the award or nomination was made, and by the name of the recipient of each award or nomination for award.

Safeguards:

These records are maintained in lockable metal filing cabinets. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

These records are retained for five years, then sent to a Federal Record Center.

System manager(s) and address:

Director of Personnel, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, D.C. 20419.

Notification procedure:

Individuals wishing to determine whether this system of records contains information about them should contact the System Manager indicated above or the Regional Office where the individual is or was employed. Individuals must furnish the following information for their records to be located and identified:

a. Full name;

b. Date of the suggestion or nomination for award; and

c. Duty station at the time the suggestion or nomination for award was made.

Individuals making inquiries as to the existence of records pertaining to themselves must also follow the MSPB's Privacy Act regulations set forth at 5 CFR 1205.11 regarding such inquiries.

Record access procedures:

Individuals requesting access to their records should contact the System Manager indicated above or the Regional Office where the individual is or was employed. Individuals must furnish the following information for their records to be located and identified:

a. Full name;

b. Date of the suggestion or nomination for award or quality step increase; and

c. Duty station at the time the suggestion or nomination for award was made.

Individuals requesting access must also follow the MSPB's Privacy Act regulations set forth at 5 CFR 1205.11 regarding access to records and verification of identity.

Contesting record procedures:

Individuals wishing to request amendment of records about themselves should contact the System Manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Full name;

b. Date of the suggestion or nomination for award or quality step increase; and

c. Duty station at the time the suggestion or nomination for award was made.

Individuals requesting amendment must also follow the MSPB's Privacy Act regulations set forth at 5 CFR 1205.21 regarding amendment of records and verification of identity.

Record source categories:

a. Individuals submitting suggestions or nominations for awards or quality step increases;

b. Supervisors of employees;

c. Evaluators of suggestions or nominations for awards or quality step increases;

d. Official Personnel Folders; and

e. Staff of the Personnel Management Division, General Accounting Office, and other Federal agencies.

MSPB/INTERNAL-5

System name:

Individual Production Reports.

System location:

Office of the Managing Director, Merit Systems Protection Board (MSPB), 1120 Vermont Avenue, NW, Washington, D.C. 20419, and at MSPB Regional Offices (see list of Regional Office addresses in the Appendix).

Categories of individuals covered by the system:

Current and former MSPB employees who have adjudicated appeals.

Categories of records in the system:

The records contain production information by type of appeal; number of cases decided; number of hearings held; calendar days elapsed on an average and median basis for each type of case; and the case disposition by type of appeal.

Authority for maintenance of the system:

5 U.S.C. 301, 1205, 3301 et seq. 4103, 4302, 4501 et. seq.

Purpose(s):

Records are maintained in this system to provide an effective management tool in determining proper assignment, transfer, promotion, detail, training, reassignment, and other personnel actions affecting presiding officials.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from these records may be disclosed:

a. To another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

b. To a congressional office in response to an inquiry from that office.

c. To the National Archives and Records Administration (General Services Administration) pursuant to records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

d. In response to a request for discovery or for appearance of a witness, if the information is relevant to the subject matter involved in a pending judicial or administrative proceeding.

e. To officials of the Office of Personnel Management, the Federal Labor Relations Authority and the Equal Employment Opportunity Commission when requested in the performance of their authorized duties.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in binders and on computer tapes and discs.

Retrievability:

Records are retrieved by the name of the individual on whom they are maintained and by an appeals officer code number.

Safeguards:

Records are located in lockable cabinets. Access is restricted to those employees who have a need to use these records.

Retention and disposal:

The record is maintained during the period of the individual's service with the Board and destroyed by shredding one year after the individual leaves the Board's employ.

System manager(s) and address:

Assistant Managing Director for Regional Operations and Director, Office of Appeals, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, D.C. 20419.

Notification procedure:

Individuals wishing to determine whether this system of records contains information about them should contact the appropriate System Manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Full name; and

b. Date and location of the last appeal office assignment.

Individuals making inquiries as to the existence of records pertaining to themselves must also follow the MSPB's Privacy Act regulations set forth at 5 CFR 1205.11 regarding such inquiries.

Record access procedures:

Individuals requesting access to their records should contact the appropriate System Manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Full name; and

b. Date and location of last appeals office assignment.

Individuals requesting access must also comply with the MSPB's Privacy Act regulations set forth at 5 CFR 1205.11 regarding access to records and verification of identity.

Contesting record procedures:

Individuals requesting amendment of their records should contact the appropriate System Manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Full name; and

b. Date and location of last appeals office assignment.

Individuals requesting amendment must also comply with the MSPB's Privacy Act regulations set forth at 5 CFR 1205.21 regarding amendment of records and verification of identity.

Record source categories:

Information in this system of records is provided by:

a. The individual on whom the records are maintained;

b. Case Control Records used as computer data input; and

c. Production information by the Regional Director.

MSPB/INTERNAL-6

System name:

Security Office Control Records.

System location:

Security Office, Office of Administration, Merit Systems Protection Board, 1120 Vermont Ave., NW, Washington, D.C. 20419.

Categories of individuals covered by the system:

Current and former Merit Systems Protection Board employees for whom there is an investigative file. The system also contains cards on employees stationed in MSPB Regional Offices for whom the appointing authority is retained in Washington, D.C., and for whom there is an investigative file.

Categories of records in the system:

The system consists of cards, filed alphabetically, containing name, social security number, date and place of birth, position sensitivity, type and date of investigations, and date and level of clearance.

Authority for maintenance of the system:

5 U.S.C. 1205 and E.O. 12356.

Purpose:

These records are used to document security investigations and clearances of MSPB employees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

There are no disclosures of this information outside of the security office, except to provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on cards.

Retrievability:

Records are retrieved by the name and date of birth of the individual on whom they are maintained.

Safeguards:

The cards are stored in locked file cabinets contained within a secured area. These cards do not leave the security office.

Retention and disposal:

Records are maintained for one year after the individual leaves the Board and then are destroyed by burning.

System manager(s) and address:

Director, Office of Administration, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, D.C. 20419.

Notification procedure:

Individuals wishing to determine whether this system of records contains information about them should contact the System Manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Full name; and

b. Date of birth.

Individuals making inquiries as to the existence of records pertaining to themselves must also follow the MSPB's Privacy Act regulations set forth at 5 CFR 1205.11 regarding such inquiries.

Record access procedures:

Individuals requesting access to their records should contact the System Manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Full name; and

b. Date of birth.

Individuals requesting access must also follow the MSPB Privacy Act regulations set forth at 5 CFR 1201.11 regarding access to records and verification of identity.

Contesting record procedures:

Individuals requesting amendment of their records should contact the System Manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Full name; and

b. Date of birth.

Individuals requesting amendment must also follow the MSPB Privacy Act regulations set forth at 5 CFR 1205.21 regarding amendment of records and verification of identity.

Record source categories:

a. The individual to whom the information applies;

b. The investigative files maintained by the Investigations Division, Associate Director/Staffing Systems and Services, Office of Personnel Management; and

c. Employment information maintained by the Board's Director of Personnel.

MSPB/CENTRAL-1

System name:

Assignment and Correspondence Tracking System Records (ACTS).

System location:

Offices of the Merit Systems Protection Board, 1120 Vermont Avenue NW., Washington, DC 20419.

Categories of individuals covered by the system:

Individuals who have written the MSPB on official business and whose letters are controlled in order to ensure appropriate and timely response; individuals who have written the White House or Congressional offices and whose letters are referred to MSPB for response.

Categories of records in the system:

This system contains information identifying the correspondent, subject, date, and disposition of the correspondence.

Authority for maintenance of the system:

5 U.S.C. 1205.

Purpose(s):

These records are used to control correspondence sent to the Board to ensure appropriate and timely response.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from these records may be disclosed:

a. To another Federal agency to whom correspondence is referred for reply.

b. To the appropriate Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order where there is an indication of a violation or potential violation of a civil or criminal law or regulation.

c. To a congressional office in response to an inquiry from that congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained on a fixed disc storage system in a minicomputer and on magnetic tape.

Retrievability:

These records are retrieved by the name of the correspondent or individual on whose behalf the correspondence is transmitted, the date and subject of the correspondence, or an assigned control number.

Safeguards:

Access to and use of these records is limited to persons whose official duties require such access. Automated records in this system are maintained in a locked room in a building with restricted access. Automated records are protected from unauthorized access through password identification procedures and other system-based protection methods.

Retention and disposal:

These records are retained for 1 year on a fixed disc, then downloaded to magnetic tape and kept for 1 additional year, and then destroyed by erasure.

System manager(s) and address:

Director, Information Resources Management Division, Office of Administration, Merit Systems Protection Board, 1120 Vermont Avenue NW., Washington, DC 20419.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contract the clerk of the Board and must follow the MSPB Privacy Act regulations at CFR 1205.11 regarding such inquiries.

Record access procedures:

Individuals requesting access to their records should contact the Clerk of the Board and must follow the MSPB Privacy Act regulations at 5 CFR 1205.11 regarding access to records and verification of identity.

Contesting record procedures:

Individuals wishing to amend records pertaining to them should contact the Clerk of the Board and must follow the MSPB Privacy Act regulations at 5 CFR 1205.21 regarding amendment of records and verification of identity.

Record source categories:

Information in this system is provided by the individual to whom the record pertains or by individuals or organizations writing on behalf of the individuals.

MSPB/CENTRAL-2

System name:

General Correspondence Records.

System location:

Office of the Clerk of the Board, Merit Systems Protection Board, 1120 Vermont Avenue NW., Washington, DC 20419 and MSPB regional offices (see list of regional office addresses in the Appendix).

Categories of individuals covered by the system:

Current and former Federal employees and members of the public who have written the MSPB seeking information, registering complaints, or making known their views.

Categories of records in the system:

This system contains the incoming correspondence and copies of the MSPB reply or referral.

Authority for maintenance of the system:

5 U.S.C. 1205.

Purpose(s):

These records are used to document correspondence with the Board.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from these records may be disclosed:

a. To another agency to whom the incoming correspondence is referred for reply;

b. To the appropriate Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, ruel, regulation or order where there is an indication of a violation or potential violation of a civil or criminal law or regulation; and

c. To a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders.

Retrievability:

These records are retrieved by name and date of correspondence.

Safeguards:

These records are maintained in lockable metal filing cabinets. Access to and use of these records is limited to those persons whose official duties require such access.

Retention and disposal:

These records are retained for 1 year, then destroyed by shredding.

System manager(s) and address:

Clerk of the Board, Merit Systems Protection Board, 1120 Vermont Avenue NW., Washington, DC 20419, and MSPB regional directors (see list of regional office addresses in the Appendix).

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contract the Clerk of the Board or the appropriate regional office and must follow the MSPB Privacy Act regulations at 5 CFR 1205.11 regarding such inquiries.

Record access procedures:

Individuals requesting access to their records should contact the Clerk of the Board, or the appropriate regional office and must follow the MSPB Privacy Act regulations at 5 CFR 1205.11 regarding such inquiries.

Contesting record procedures:

Individuals wishing to amend records should contact the Clerk of the Board and must follow the MSPB Privacy Act regulations at 5 CFR 1205.21 regarding amendment of records and verification of identity.

Record source categories:

a. Individual to whom the record pertains:

b. Official documents relating to the correspondence: and

c. Related correspondence from agencies, organizations, or persons.

MSPB/CENTRAL-3

System name:

Freedom of Information Act/Privacy Act Case Records.

System location:

Office of the Clerk of the Board, Merit Systems Protection Board, 1120 Vermont Avenue NW., Washington, DC 20419 and MSPB regional officies (see list of regional office addresses in Appendix).

Categories of individuals covered by the system:

This system contains records and related correspondence on individuals who have filed with the MSPB:

a. Requests for information under the Freedom of Information Act (5 U.S.C. 552) including requests for review of initial denials of such requests; and

b. Requests under the Privacy Act (5 U.S.C. 552a) for records about themselves, including requests for:

(1) Notification of the existence of records about them;
(2) Access to these records:
(3) Amendment of these records;
(4) Review of initial denials of requests for amendment; and
(5) An accounting of disclosure of records about them.

Note: Since these records may contain inquiries and requests regarding other MSPB systems of records subject to the Privacy Act, information about individuals from any of these other systems may become part of this Freedom of Information/Privacy Act Case Records system.

Categories of records in the system:

This system contains correspondence and other documents related to requests by individuals to the MSPB for:

a. Information under the Freedom of Information Act (5 U.S.C. 552) including requests for review of initial denials of such requests; and

b. Information under the Privacy Act (5 U.S.C. 552a) and requests for review of initial denials of such requests made under the MSPB Privacy Act regulations including requests for:

(1) Notification of the existence of records;

(2) Access to these records;

(3) Amendment to these records;

(4) Review of initial denials of requests for amendment; and

(5) An accounting of disclosure of records about them.

Authority for maintenance of the system:

5 U.S.C. 552, 552a, 1205.

Purpose(s):

These records are maintained to process requests made under the Freedom of Information and Privacy Acts. These records are also used by MSPB to prepare its annual reports to OMB and Congress as required by the Privacy and Freedom of Information Acts.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from these records may be disclosed:

a. To the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as stated in OMB Circular No. A-19;

b. To a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual;

c. To the Department of Justice when:

(1) The agency, or any component thereof; or

(2) Any employee of the agency in the employee's official capacity; or

(3) Any employee of the agency in the employee's individual capacity where the Department of Justice has agreed to represent the employee; or

(4) The United States is a party to litigation or has an interest in such litigation and the use of such records is deemed to be relevant and necessary to the litigation, providing that the disclosure of the records is a use of the information contained in the records that is compatible with the purpose of which the records were collected; or approval or consultation is required.

d. In any proceeding before a court or other adjudicative body before which the agency is authorized to appear, when:

(1) The agency, or any component thereof; or

(2) Any employee of the agency in the employee's official capacity; or

(3) Any employee of the agency in the employee's individual capacity where the agency has agreed to represent the employee; or

(4) The United States is a party to litigation or has an interest in such litigation and the use of such records is deemed to be relevant and necessary to the litigation, providing that the disclosure of the records is a use of the information contained in the records that is compatible with the purpose for which the records were collected; or approval or consultation is required.

e. To the National Archives and Records Administration in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906;

f. To officials of the Office of Personnel Management, Federal Labor Relations Authority, and the Equal Employment Opportunity Commission in conjunction with the preformance of their authorized duties;

g. To Federal agencies in order to obtain advice and recommendations concerning matters on which the agency has specialized experience or particular competence which MSPB may use in making determinations under the Freedom of Information Act;

h. To any source from which MSPB requests additional information (to the extent necessary to identify the individual, inform the source of the purpose of the request, and identify the type of information requested), where necessary to obtain information relevant to an MSPB determination concerning a Privacy Act of Freedom of Information Act request;

i. In response to a request for discovery or for appearance of witness, if the information is relevant to the subject matter involved in a pending judicial or administrative proceeding; and

j. To the appropriate Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order where MSPB becomes aware of an indication of a violation or potential violation of a civil or criminal law regulation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders.

Retrievability:

These records are retrieved by name of the individual on whom they are maintained and the date of request.

Safeguards:

These records are maintained in lockable metal filing cabinets. Access to and use of these records is limited to persons whose official duties require such access.

Retention and disposal:

Requests under the Freedom of Information Act are maintained for 2 years, then destroyed by shredding. Requests under the Privacy Act are maintained for 5 years, then destroyed by shredding. Records of administrative appeals from denials of access to records under the Freedom of Information Act and denials of requests to amend records under the Privacy Act are maintained for 6 years, then destroyed by shredding.

System manager(s) and address:

Clerk of the Board, 1120 Vermont Avenue NW., Washington, DC 20419, and MSPB regional directors (see list of regional office addresses in the Appendix).

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contact the Clerk of the Board or the appropriate MSPB regional office and must follow the MSPB Privacy Act regulations at 5 CFR 1205.11 regarding such inquiries.

Record access procedures:

Individuals requesting access to their records should contact the Clerk of the Board or the appropriate MSPB regional office and must follow the MSPB Privacy Act regulations at 5 CFR 1205.11 regarding access to records and verification of identity.

Contesting record procedures:

Individuals wishing to amend records about themselves should contact the Clerk of the Board or the appropriate MSPB regional office and must follow the MSPB regulations at 5 CFR 1205.21 regarding amendment of records and verification of identify.

Note.—The amendment provisions for this system are not intended to permit an individual a second opportunity to request amendment of a record which was the subject of the initial Privacy Act amendment request which created the record in the system. That is, after an individual has requested amendment of a record under the Privacy Act, that record may become part of this system of Privacy Act/Freedom of Information Act case records. Thus, an individual may not subsequently request amendment of that record again simply because a copy of the record has become part of the second system of Privacy Act/Freedom of Information Act case records.

Record source categories:

a. The individual who is the subject of the records;

b. MSPB officials who respond to Privacy Act/Freedom of Information requests;

c. Official personnel documents of MSPB including records from other MSPB system of records included in this notice;

d. Other sources whom MSPB believes have information pertinent to an MSPB determination of a Privacy Act or Freedom of Information Act request; and

e. Other agencies referring the request to PSPB.

MSBP/CENTRAL-4

System name:

Litigation and Claims Records.

System location:

Office of the General Counsel, Merit Systems Protection Board (MSPB), 1120 Vermont Avenue NW., Washington, DC 20419.

Categories of individuals covered by the system:

a. Individuals who file civil actions against MSPB, its officials, and its employees;

b. Individuals who are parties to actions in which an MSPB final decision is involved but in which MSPB is not a party to the proceeding; and

c. Individuals who file claims against MSPB under the Federal Tort Claims Act.

Categories of records in the system:

This system includes pleadings and documentation of litigation such as complaints, answers, motions, briefs, orders, and decisions; claims and supporting documentation submitted under the Federal Tort Claims Act, together with correspondence and records of final administrative determinations.

To the extent that records listed here, or portions thereof, are also maintained in an automated litigation tracking system, those versions or extracts of the records are considered to be covered by this system notice.

Authority for maintenance of the system:

5 U.S.C. 1205, 7703; 28 U.S.C. 2672.

Purpose(s):

These records are maintained to defend MSPB against lawsuits; to settle administrative claims brought against the MSPB; and to provide records of court proceedings that involve final Board decisions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from these records may be disclosed:

a. To the appropriate Federal, state or local agency responsible for investigating, prosecuting, enforcing or implementing a statute, rule, or regulation, or order where the Board becomes aware of a violation or potential violation of civil or criminal law or regulation;

b. to any source where necessary to obtain information relevant to an MSPB decision or action involved in one of the purposes of maintenance of the system;

c. To a Federal agency, in response to its request in connection with the hiring or retention of an employee, the issuance of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter;

d. To a congressional office in response to an inquiry made at the request of the individual from whose record the information is provided;

e. To the Department of Justice or other agency when:

(1) The agency, or any component thereof; or

(2) Any employee of the agency in the employee's official capacity; or

(3) Any employee of the agency in the employee's individual capacity where the Department of Justice has agreed to represent the employee; or

(4) The United States is a party to litigation or has an interest in such litigation and the use of such records is deemed to be relevant and necessary to the litigation, provided that the disclosure of the records is a use of the information contained in the records that is compatible with the purpose of which the records were collected; or approval or consultation is required.

f. In a proceeding before a court or adjudicative body before which the agency is authorized to appear, when:

(1) The agency, or any component thereof; or

(2) Any employee of the agency in the employee's official capacity; or

(3) Any employee of the agency in the employee's individual capacity where the agency has agreed to represent the employee; or

(4) The United States is a party to litigation or has an interest in such litigation and the use of such records is relevant and necessary to the litigation, provided that the disclosure of the records to the tribunal is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

g. To the National Archives and Records Administration for records management inspections conducted under authority of 44 U.S.C. 2904 and 2906;

h. To the insurance carrier of an employee of, or a claimant against, MSPB under the Federal Tort Claims Act to determine the proper assignment of any liability;

i. In response to a request for discovery or for appearance of a witness, if the information is relevant to the subject matter involved in a pending judicial or administrative proceeding; and

j. To officials of the Office of Personnel Management, Federal Labor Relations Authority or Equal Employment Opportunity Commission when requested in connection with the performance of their authorized duties.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders in lockable metal filing cabinets and on computer discs and tapes.

Retrievability:

Records are retrieved by various combinations of name, social security number, or docket control or decision numbers.

Safeguards:

Paper records are located in metal file cabinets or in secured areas with access limited to persons whose official duties require such access. Access to computerized records is limited, through the use of access codes and entry logs, to those persons whose official duties require such access.

Retention and disposal:

These records are maintained for 6 years after the case is closed by court action and then destroyed by shredding. Automated data on individual cases are erased 6 years after the case is closed by court action.

System manager(s) and address:

General Counsel, Merit Systems Protection Board, 1120 Vermont Avenue NW., Washington, DC 20419.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contact the Clerk of the Board and must follow the MSPB Privacy Act regulations at 5 CFR 1205.11 regarding such inquiries.

Record access procedures:

Individuals requesting access to their records should contact the Clerk of the Board and must follow the MSPB Privacy Act regulations at 5 CFR 1205.11 regarding such requests.

Contesting record procedures:

Individuals wishing to amend records should contact the Clerk of the Board and must follow the MSPB Privacy Act regulations at 5 CFR 1205.21 regarding amendment of records.

Record source categories:

a. Individual to whom the record pertains;

b. Agency officials and records;

c. Records of MSPB and Equal Employment Opportunity Commission administrative proceedings and court documents; and

d. Witnesses.

MSPB/GOVT-1

System name:

Appeal and Case Records.

System location.

Office of the Secretary, Merit System Protection Board (MSPB), 1120 Vermont Avenue, NW, Washington, D.C. 20419, the MSPB Regional Offices (see list of Regional Office addresses in the Appendix), and various Federal agencies.

Categories of individuals covered by the system:

a. Current and former Federal employees and applicants for employment who have filed an appeal with the MSPB, or its predecessors, or with respect to whom the Special Counsel or a Federal agency has petitioned the MSPB, concerning any matter over which the MSPB has original or appellate jurisdiction.

b. Current and former employees of State and local governments who have been investigated by the Special Counsel and have had a hearing before the MSPB concerning possible violation of the Hatch Act.

Categories of records in the system:

This system of records contains information or documents, including briefs, pleadings and motions, exhibits, hearing transcripts and MSPB decisions, which comprise the administrative records of appeals and other matters arising under the original and appellate jurisdiction of the MSPB.

This system includes records of appeals filed with the former Federal Employee Appeals Authority and the Appeals Review Board of the Civil Service Commission. This system also includes records of appeals and cases before the MSPB, the Federal Employee Appeals Authority and the Appeals Review Board which are maintained by Federal agencies that are parties to the proceedings.

Authority for maintenance of the system:

5 U.S.C. 1205, 1206, 1207, 1208, 7701, and 7702.

Purpose(s):

These records are used to document and adjudicate appeals and other matters arising under the MSPB's original and appellate jurisdiction.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from the record may be disclosed:

a. To officials of the Equal Employment Opportunity Commission or the Special Panel convened under authority of 5 U.S.C. 7702 when requested in connection with the performance of their authorized duties.

b. To officials of the Office of Personnel Management and the Federal Labor Relations Authority in connection with the performance of their authorized duties.

c. To a member of Congress or the Government Accounting Office regarding the status of an appeal.

d. To a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

e. To a person from the record of an individual in response to an inquiry made by that person on behalf of the individual to whom the record pertains.

f. To an appropriate Federal, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule regulation, or order upon request of that agency when there is an indication of a violation or potential violation of civil or criminal law or regulation.

g. To the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

h. To another Federal agency or to a court when the Goverment is party to a suit before the court.

i. To any person making an inquiry regarding the status of a proceeding before the MSPB, the nature of the proceeding, and, if applicable, the MSPB decision in the matter.

j. To the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

k. In response to a request for discovery or for appearance of a witness, if the information is relevant to the subject matter involved in a pending judicial or administrative proceeding.

l. To federal and state agencies for the purpose of providing the MSPB with information concerning MSPB appellants, which information will be used, absent personal identifiers, in the MSPB's research projects mandated by 5 U.S.C. 1205(a)(3).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, binders, docket cards, microfiche, and computer tapes and discs.

Retrievability:

These records are retrieved by the names of the individuals on whom they are maintained or by docket control or decision numbers.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

These records are maintained up to two years after a final determination by the MSPB or, in some instances, other administrative authorities or the courts. Thereafter, they are transferred by GSA Regional Federal Records Centers. They are destroyed by the Federal Records Centers when the records are seven years old.

System manager(s) and address:

Secretary, Merit System Protection Board, 1120 Vermont Avenue, NW, Washington, D.C. 20419, the MSPB Regional Offices (see list of Regional Office addresses in the Appendix), or the Personnel Officer of the agency within which the appeal arose.

Notification procedure:

Individuals inquiring whether this system of records contains information about them should contact the appropriate System Manager indicated above. Individuals who have filed appeals or are parties to matters before the MSPB are aware of that fact and have been provided a copy of the record. It is necessary to furnish the following information respecting the individual when making inquiries about records:

a. Full name;
b. Date of birth;
c. Kind of action taken by the agency;
d. Date and location of the filing of the appeal or other matter with the MSPB; and
e. If appropriate, the respective MSPB docket or decision control number.

Individuals making inquiries as to the existence of records pertaining to themselves must also follow the Board's Privacy Act regulations set forth at 5 CFR 1205.11 regarding such inquiries.

Record access procedures:

Individuals requesting access to their records should contact the appropriate System Manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Full name;
b. Date of birth;
c. Kind of action taken by the agency;
d. Date and location of the filing of the appeal or other matter with the MSPB; and
e. If appropriate, the respective MSPB docket or decision control number.

Individuals seeking access must also follow the MSPB's Privacy Act regulations set forth at 5 CFR 1205.11 regarding access to records and verification of identity.

Contesting record procedures:

Individuals requesting amendment should contact the appropriate System Manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Full name;
b. Date of birth;
c. Kind of action taken by the agency;
d. Date and location of the filing of the appeal or other matter with the MSPB; and
e. If appropriate, the respective MSPB docket or decision control number.

Individuals requesting amendment must also follow the MSPB's Privacy Act regulations set forth at 5 CFR 1205.21 regarding amendment of records and verification of identity.

These provisions for amendment of the record are not intended to permit the alteration of evidence presented in the course of adjudication before the Board, before or after the Board has rendered a decision on the appeal.

Record source categories:

The source of these records are:

a. The individual to whom the record pertains;
b. The agency employing the above individual;
c. The Merit Systems Protection Board, the Office of Personnel Management, Equal Employment Opportunity Commission, the Office of the Special Counsel; and
d. Other individuals or organizations from whom the MSPB has received testimony, affidavits or other documents.

MSPB/OSC-1

System name:

OSC Complaint, Litigation and Political Activity Files.

System location:

Office of the Special Counsel, Merit Systems Protection Board, 1120 Vermont Avenue, NW., Suite 1100, Washington, DC 20005.

Categories of individuals covered by the system:

Any person who files an allegation of prohibited personnel practices or other prohibited acitivity or who is accused of such practices or activity, or who is alleged to have participated in prohibited political activity.

Categories of records in the system:

Correspondence between a person filing an allegation of prohibited personnel practices or other prohibited activity and the Office of the Special Counsel or another agency; statements of alleged prohibited political activity and related reports of investigation, affidavits, correspondence, letters of charges, and administrative determinations; records created or compiled in connection with litigation involving directly or indirectly the Office of the Special Counsel.

Authority for maintenance of the system:

5 U.S.C. 552(a)(4)(F), 1206-1208, 1504, 7321-7325.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. To disclose the fact that an allegation of prohibited personnel practices or other prohibited activity has been filed;

b. To disclose information to the Office of Personnel Management pursuant to Civil Service Rule 5.4 (5 CFR 5.4), or to obtain an advisory opinion concerning the application or effect of civil service laws, rules, regulations or OPM guidelines in particular situation.

c. To disclose to the Equal Employment Opportunity Commission and any other agency or office concerned with the enforcement of the antidiscrimination laws, information concerning any allegation or complaint of discrimination based on race, color, religion, sex, national origin, age or handicapping condition;

d. To disclose information to the Merit Systems Protection Board or the President upon the filing or referral of a disciplinary action complaint against an employee on the basis of an OSC investigation;

e. To disclose information to an agency, the Merit Systems Protection Board, the Office of Personnel Management and the President in reporting, under 5 U.S.C. 1206(c)(1), the results of investigations which disclose reasonable grounds to believe a prohibited personnel practice has occurred, exists, or is to be taken;

f. To disclose information to Congress in connection with the submission of an annual report on activities of the Special Counsel;

g. To disclose information to any agency or person regarding allegations of prohibited personnel practices or other prohibited activity or prohibited political activity filed against an agency or any employee thereof, for the purposes of conducting an investigation; in transmitting information to an agency under 5 U.S.C. 1206(b) and the OSC procedures established thereunder; or to give notice of the status or outcome of the investigation;

h. To disclose information to any source from which additional information is requested (to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and to identify the type of information requested), where necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the letting of a contract, or the issuance of a license, grant, or other benefit;

i. To disclose information to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circluar No. A-19.

j. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office (made at the request of that individual);

k. To furnish information to the National Archives and Records Administration in records management inspections conducted under authority of 4 U.S.C. 2904 and 2906;

l. By the Special Counsel in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related work force studies;

m. To disclose relevant and necessary information to the Department of Justice when:

(1) OSC is a party to litigation,

(2) An OSC officer or employee, in an official capacity, is a party to litigation,

(3) An OSC officer or employee, in an individual capacity, is a party to litigation, where the Department of Justice has agreed to represent that officer or employee, or

(4) The United States, and not OSC specifically, is a party to litigation, and OSC determines that the litigation is likely to affect OSC.

In each case, however, disclosure of records or information will be only to the extent compatible with the purpose for which the records were collected, as determined by OSC;

n. To disclose relevant and necessary information when:

(1) OSC is a party to litigation,

(2) An OSC officer or employee, in an official capacity, is a party to litigation,

(3) An OSC officer or employee, in an individual capacity, is a party to litigation, where OSC or the Department of Justice has agreed to represent that officer or employee, or

(4) The United States, and not OSC specifically, is a party to litigation, and OSC determines that the litigation is likely to affect OSC.

In each case, however, disclosure of records or information will be only to the extent compatible with the purpose for which the records were collected, as determined by OSC;

o. To disclose information to the Merit Systems Protection Board to aid in the conduct of special studies by the Board under 5 U.S.C. 1205(a)(3); and

p. To disclose information to the Office of Inspector General or comparable internal inspection audit or oversight office of an agency for the purpose of facilitating the coordination and conduct of investigations and review of allegations within the purview of both the Office of the Special Counsel and the agency Office of Inspector General or comparable office.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, on lists, index cards, forms, and on computer storage equipment.

Retrievability:

These records are retrieved by the name of the person (or the person's representative, or both) who filed an allegation of a prohibited personnel practice or other prohibited activity, or who is accused of such a practice or activity, or who is alleged to have participated in prohibited political activity.

Safeguards:

These records are located in lockable metal file cabinets or in secured areas with access limited to those personnel whose official duties require access.

Retention and disposal:

The National Archives and Records Administration (NARA) retains records concerning prohibited personnel practices and other prohibited activity for three years after the matter or case is closed. Disposal is accomplished by NARA.

System manager(s) and address:

William E. Caldwell, 1120 Vermont Avenue, NW, Suite 1100, Washington, DC 20005.

Notification procedure:

Individuals who wish to inquire whether this system contains information about them should contact the system manager. To assist in the process of locating and identifying records, individuals should furnish the following:

a. Name and address;

b. Date and place of birth;

c. Social security number;

d. A description of the circumstances under which records may have been included in this system.

Record access procedures:

Same as notification procedure.

Contesting record procedures:

Individuals who wish to contest records about them should contact the system manager, identify any information they believe should be corrected, and furnish a statement of the basis for the requested correction along with all available supporting documents and materials.

Record source categories:

Information in this system of records is obtained from the subjects of the records, from agency officials, from agency documents, from witnesses, and from any other persons or organizations furnishing information pertinent to the discharge of functions for which the Office of the Special Counsel is responsible.

Systems exempted from certain provisions of the act:

a. Complaint, Litigation and Political Activity Files containing investigatory material compiled by the Office of the Special Counsel for law enforcement purposes are exempt to the extent allowed under subsection (k)(2) and (5) of the Privacy Act. This exemption is necessary to protect confidential sources and facilitate the voluntary cooperation of witnesses during inquiries into allegations of prohibited personnel practices or other prohibited activity.

b. Testing or examination material compiled by the Office of the Special Counsel solely to determine individual qualifications for appointment or promotion in the Federal service is exempt to the extent allowed under subsection (k)(6) of the Privacy Act. This exemption is necessary to prevent the disclosure of information which would potentially give an individual an unfair competitive advantage or diminish the utility of established examination procedures.

c. The Office of the Special Counsel reserves the right to assert exemptions for records received from another agency that could be properly claimed by that agency in responding to a request and the Office of the Special Counsel may refuse access to information compiled in reasonable anticipation of a civil action or proceeding, as allowed by subsection (d)(5) of the Privacy Act.

Appendix

Regional Offices of the Merit Systems Protection Board

Atlanta Regional Office, Merit Systems Protection Board, 1365 Peachtree Street, NE, Suite 500, Atlanta, Georgia 30309-3199

Boston Regional Office, Merit Systems Protection Board, 10 Causeway Street, Suite 1078, Boston, Massachusetts 02222-1042

Chicago Regional Office, Merit Systems Protection Board, 230 South Dearborn Street, 31st Floor, Chicago, Illinois 60604-1669

Dallas Regional Office, Merit Systems Protection Board, 1100 Commerce Street, Room 6F20, Dallas, Texas 75242-9979

Denver Regional Office, Merit Systems Protection Board, P.O. Box 25025 (for regular mail), 730 Simms Street, Room 301 (for express mail), Denver Colorado 80225-0025

New York Regional Office, Merit Systems Protection Board, 26 Federal Plaza, Room 3137-A, New York, New York 10278-0022

Philadelphia Regional Office, Merit Systems Protection Board, U.S. Customhouse, Room 501, Second and Chestnut Streets, Philadelphia, Pennsylvania 19106-2904

St. Louis Regional Office, Merit Systems Protection Board, 911 Washington Avenue, Suite 615, St. Louis, Missouri 63101-1203

San Francisco Regional Office, Merit Systems Protection Board, 525 Market Street, Room 2800, San Francisco, California 94105-2789

Seattle Regional Office, Merit Systems Protection Board, 915 Second Avenue, Room 1840, Seattle, Washington 98174-1001

Washington, DC Regional Office, Merit Systems Protection Board, 5203 Leesburg Pike, Suite 1109, Falls Church, Virginia 22041-3473.

Title I-Administrative Personnel

Chapter II-Merit Systems Protection Board

PART 1205—PRIVACY ACT REGULATIONS

Subpart A—General Provisions

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1205.2 Policy and scope.
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Subpart B—Procedures for Obtaining Records

1205.11 Access to Board records.
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Authority: 5 U.S.C. 552a and 1204
Source:54 FR 28662, July 6, 1989.

Subpart A—General Provisions

§ 1205.1 Purpose.

This subpart implements the Privacy Act of 1974, 5 U.S.C. 552a, ("the Act") by prescribing the procedures by which individuals may determine the existence of, seek access to, and request amendment of Board records concerning themselves, and by stating the requirements that apply to Board employees' use and dissemination of those records.

§ 1205.2 Policy and scope.

The Board's policy is to apply these regulations to all records that can be retrieved from a system of records under the Board's control by using an individual's name or by using a number, symbol, or other means of identifying the individual. These regulations, however, do not govern the rights of parties in adversary proceedings before the Board to obtain discovery from adverse parties; those rights are governed by part 1201 and part 1209 of this chapter. These regulations also are not intended to permit the alteration, either before or after the Board has issued a decision on an appeal, of evidence presented during the Board's adjudication of the appeal.

§ 1205.3 Definitions.

The definitions of 5 U.S.C. 552a apply to this part. In addition, as used in this part:

(a) "Inquiry" means a request by an individual regarding whether the Board has a record that pertains to that individual.

(b) "Request for access" means a request by an individual to inspect or copy a record.

(c) "Request for amendment" means a request by an individual to change the substance of a particular record by addition, deletion, or other correction.

(d) "Requester" means the individual requesting access to or amendment of a record. The individual may be either the person to whom the requested record pertains, a legal guardian acting on behalf of the individual, or a representative designated by that individual.

§ 1205.4 Disclosure of Privacy Act records.

(a) Except as provided in 5 U.S.C. 552a(b), the Board will not disclose any personal record information from systems of records it maintains to any individual other than the individual to whom the record pertains, or to any other agency, without the express written consent of the individual to whom the record pertains, or his or her agent or attorney.

(b) The Board's staff will take necessary steps, in accordance with the law and these regulations, to protect the security and integrity of the records and the personal privacy interests of the subjects of the records.

Subpart B—Procedures for Obtaining Records

§ 1205.11 Access to Board records.

(a) *Submission of request.* Inquiries or requests for access to records must be submitted to the appropriate regional office of the Board, or to the Office of the Clerk of the Board, U.S. Merit Systems Protection Board, 1120 Vermont Avenue NW., Washington, DC 20419. If the requester has reason to believe the records in question are located in a regional office, the request must be submitted to that office. Requests submitted to the region must be addressed to the regional director at the appropriate regional office listed in Appendix II of 5 CFR part 1201.

(b) *Form.* Each submission must contain the following information:

(1) The name, address, and telephone number of the individual to whom the record pertains;

(2) The name, address, and telephone number of the individual making the request if the requester is someone other than the person to whom the record pertains, such as a legal guardian or an attorney, along with evidence of the relationship. Evidence of the relationship may consist of an authenticated copy of: (i) The birth certificate of the minor child, and (ii) the court document appointing the individual legal guardian, or (iii) an agreement for representation signed by the individual to whom the record pertains;

(3) Any additional information that may assist the Board in responding to the request, such as the name of the agency that took an action against an individual, or the docket number of the individual's case;

(4) The date of the inquiry or request;

(5) The inquirer's or requester's signature; and

(6) A conspicuous indication, both on the envelope and the letter, that the inquiry is a "PRIVACY ACT REQUEST".

(c) *Identification.* Each submission must comply with the identification requirements stated in § 1205.13 of this part.

(d) *Payment.* Records usually will not be released until fees have been received.

§ 1205.12 Time limits and determinations.

(a) *Board determinations.* The Board will acknowledge the request and make a determination on it within 10 workdays after it receives the request, except under the unusual circumstances described below:

(1) When the Board needs to obtain the records from other Board offices;

(2) When it needs to obtain and examine a large number of records;

(3) When it needs to consult with another agency that has a substantial interest in the records requested; or

(4) When other extenuating circumstances prevent the Board from processing the request within the 10-day period.

(b) *Time extensions.* When unusual circumstances exist, the Board may extend the time for making a determination on the request for no more than 10 additional workdays. If it does so, it will notify the requester of the extension.

(c) *Improper request.* If a request or an appeal is not properly labeled, does not contain the necessary identifying information, or is submitted to the wrong office, the time period for processing the request will begin when the correct official receives the properly labeled request and the necessary information.

(d) *Determining officials.* The Clerk of the Board or a regional director will make determinations on requests.

§ 1205.13 Identification.

(a) *In person.* Each requester must present satisfactory proof of identity. The following items, which are listed in order of the Board's preference, are acceptable proof of the requester's identity when the request is made in person:

(1) A document showing the requester's photograph;

(2) A document showing the requester's signature; or

(3) If the items described in paragraphs (a)(1) and (2) of this section are not available, a signed statement in which the requester asserts his or her identity and acknowledges understanding that misrepresentation of identity in order to obtain a record is a misdemeanor and subject to a fine of up to $5,000 under 5 U.S.C. 552a(i)(3).

(b) *By mail.* The identification of a requester making a request by mail must be certified by a notary public or equivalent official or contain other information sufficient to identify the requester. Sufficient information could be the date of birth of the requester and some item of information in the record that only the requester would be likely to know.

(c) *Parents of minors, legal guardians, and representatives.* Parents of minors, legal guardians, and representatives must submit identification under paragraph (a) or (b) of this section. Additionally, they must present an authenticated copy of:

(1) The minor's birth certificate, and

(2) The court order of guardianship, or

(3) The agreement of representation, where appropriate.

§ 1205.14 Granting access.

(a) The Board may allow a requester to inspect records through either of the following methods:

(1) It may permit the requester to inspect the records personally during normal business hours at a Board office or other suitable Federal facility closer to the requester; or

(2) It may mail copies of the records to the requester.

(b) A requester seeking personal access to records may be accompanied by another individual of the requester's choice. Under those circumstances, however, the requester must sign a statement authorizing the discussion and presentation of the record in the accompanying individual's presence.

§ 1205.15 Denying access.

(a) *Basis.* In accordance with 5 U.S.C. 552a(k)(2), the Board may deny access to records that are of an investigatory nature and that are compiled for law enforcement purposes. Those requests will be denied only where access to them would otherwise be unavailable under Exemption (b)(7) of the Freedom of Information Act.

(b) *Form.* All denials of access under this section will be made in writing and will notify the requester of the right to judicial review.

§ 1205.16 Fees.

(a) No fees will be charged except for making copies of records.

(b) Photocopies of records duplicated by the Board will be subject to a charge of 10 cents a page.

(c) If the fee to be assessed for any request is less than $25 (the cost to the Board of processing and collecting the fee), no charge will be made to the requester.

(d) Fees for duplicating audio tapes and computer records will be charged at a rate representing the actual costs to the Board, as those costs are shown below.

(1) Audio tapes will be provided at a charge of $5.75 for each cassette tape.

(2) Computer printouts will be provided at a charge of 1 cent a page.

(3) Records reproduced on magnetic computer tapes will be provided at a charge of $21 a tape.

(4) Records produced on computer diskettes will be provided at a charge of $2.70 a diskette.

(e) If duplication costs exceed $25, the Board will notify the requester of the estimated amount before copying the records.

(f) When the Board determines that charges for a request are likely to exceed $250, it will require the requester to pay the entire fee before it continues to process the request.

(g) The Board will provide one copy of the amended parts of any record it amends free of charge as evidence of the amendment.

Subpart C—Amendment of Records

§ 1205.21 Request for amendment.

A request for amendment of a record must be submitted to the director of the appropriate regional office, or to the Office of the Clerk of the Board, U.S. Merit Systems Protection Board, 1120 Vermont Avenue NW., Washington, DC 20419, depending on which office is maintaining the record. The request must be in writing, must be identified conspicuously on the outside of the envelope and the letter as a "PRIVACY ACT REQUEST," and must include the following information:

(a) An identification of the record to be amended;

(b) A description of the amendment requested; and

(c) A statement of the basis for the amendment, along with supporting documentation, if any.

§ 1205.22 Action on request.

(a) *Amendment granted.* If the Board grants the request for amendment, it will notify the requester and provide him or her with a copy of the amendment.

(b) *Amendment denied.* If the Board denies the request for amendment in whole or in part, it will provide the requester with a written notice that includes the following information:

(1) The basis for the denial; and

(2) The procedures for appealing the denial.

§ 1205.23 Time limits.

The regional director or the Board will rule on a request for amendment within 10 workdays of receipt of the request in the regional office or the Office of the Clerk except under the unusual circumstances described in paragraphs (a)(1) through (a)(4) of § 1205.12 of this part.

Subpart D—Appeals

§ 1205.31 Submitting appeal.

(a) A partial or complete denial, by the Clerk of the Board or a regional director, of a request for amendment may be appealed to the Deputy Executive Director for Management, U.S. Merit Systems Protection Board, 1120 Vermont Avenue NW., Washington, DC 20419.

(b) Any appeal must be in writing, must be clearly and conspicuously identified as a Privacy Act appeal on both the envelope and letter, and must include:

(1) A copy of the original request for amendment of the record;

(2) A copy of the denial; and

(3) A statement of the reasons why the original denial should be overruled.

§ 1205.32 Decision on appeal.

(a) The Deputy Executive Director for Management will decide the appeal within 30 working days unless that official determines that there is good cause for extension of that deadline. If an appeal is improperly labeled, does not contain the necessary information, or is submitted to an inappropriate official, the time period for processing the appeal will begin when the Deputy Executive Director for Management receives the appeal and the necessary information.

(b) If the request for amendment of a record is granted on appeal, the Deputy Executive Director for Management will direct that the amendment be made. A copy of the amended record will be provided to the requester.

(c) If the request for amendment of a record is denied, the Deputy Executive Director for Management will notify the requester of the denial and will inform the requester of:

(1) The basis for the denial;

(2) The right to judicial review of the decision under 5 U.S.C. 552a(g)(1)(A); and

(3) The right to file a concise statement with the Board stating the reasons why the requester disagrees with the denial. This statement will become a part of the requester's record.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

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NASA 51LIST - Locator and Information Services Tracking System (LISTS) -NASA
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NASA 53BHTR - Wallops Flight Facility Base Housing Tenant Records - NASA
NASA 72XOPR - JSC Exchange Activities Records - NASA
NASA 73FHAP - WSTF Federal Housing Administration (FHA) 809 Housing Program - NASA
NASA 76RTES - KSC Radiation Training and Experience Summary - NASA
NASA 76STCS - KSC Shuttle Training Certification System (YC 04)
NASA 76XRAD - KSC USNRC Occupational External Radiation Exposure History for Nuclear Regulatory Commission Licenses - NASA

NASA 10ACMQ

System name: Aircraft Crewmembers Qualifications and Performance Records - NASA.

System location: Locations 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, as set forth in Appendix A.

Categories of individuals covered by the system: Crewmembers of NASA aircraft.

Categories of records in the system: System contains: (1) Record of qualification, experience, and currency, e.g., flight hours (day, night, and instrument), types of approaches and landings, crew position, type aircraft, flight check ratings and related examination results, training performed and medical records; (2) flight itineraries and passenger manifests; and (3) biographical information.

Authority for maintenance of the system: 42 U.S.C. 2473 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information contained in this system of records is used within NASA for: Evaluation of crewmember performance by supervisory flight operations personnel and staff; by the individuals whose records are maintained; and on occasion by flight operations and safety survey teams. In addition to the internal uses of the information contained in this system of records, the following are routine uses outside of NASA: (1) In cases of accident investigations, access to this system of records may be granted to federal or local agencies such as Department of Defense, Federal Aviation Administration, National Transportation Safety Board, or foreign governments; (2) To other agencies, companies, or governments requesting qualifications of crewmembers prior to authorization to participate in their flight programs; or to other agencies, companies, or governments whose crewmembers may participate in NASA's flight programs; (3) With prior approval by the individual - publicity or press releases; and (4) Standard routine uses 1 through 4 inclusive as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, charts, punched cards, computer printouts.

Retrievability: Records are indexed by name or aircraft number.

Safeguards: Records are protected in accordance with the requirements and procedures which appear at 14 CFR Part 1212.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Director, Aircraft Management Office, Location 1.

Subsystem Managers: Chief, Ames Aircraft Operations Division, Location 2; Chief, Dryden Aircraft Operations Division, Location 3; Chief, Aircraft Operations Division, Location 5; Chief, Aircraft Operations Section, Location 6, Head, Aircraft Operations Branch, Location 7; Chief, Aircraft Operations Branch, Location 8; Chief, Aircraft Operations, Location 9; Chief Contract Management, Location 10; Data Acquisition Manager, Earth Resources Laboratory, Location 11; Head, Aeronautical Programs Branch, Location 4 (Locations are set forth in Appendix A).

Notification procedure: Information may be obtained from the cognizant system or subsystem manager listed above.

Record access procedures: Requests from individuals should be addressed to: Same address as stated in the Notification section above.

Contesting record procedures: The NASA regulations for access to records and for contesting contents and appealing initial determinations by the individual concerned appear at 14 CFR Part 1212.

Record source categories: Individuals, training schools or instructors, medical units or doctors.

NASA 10BRPA

System name: Biographical Records for Public Affairs - NASA

System location: Locations 1, 2, 3, 4, 5, 6, 7, 8, 9, and 11, as set forth in Appendix A.

Categories of individuals covered by the system: Principal and prominent management and staff officials, program and project managers, scientists, engineers, speakers, other selected employees involved in newsworthy activities, and other participants in agency program.

Categories of records in the system: Current biographical information about the individual with a recent photograph when available. Data items are those generally required by NASA or the news media in preparing news or feature stories about the individual and/or the individual's activity with NASA.

Authority for maintenance of the system: 42 U.S.C 2473 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information contained in this system of records is compiled, updated, and maintained at NASA installations for ready reference material and for immediate availability when required by the news media for news stories about the individual generally involving participation in a major NASA activity.

The data serves as background information about the individual and is used within NASA to prepare public appearance announcements of key officials, speaking engagements, special appointments, participation in professional societies, etc.; to write news stories about special achievements, awards, participation in major NASA activities, programs, etc.; and to prepare responses to inquiries submitted to the Public Affairs Division from the news media.

Users are the staff members of the public information office within each office of Public Affairs.

In addition to the internal uses of the information contained in this system of records, the following are routine uses outside of NASA: These records are made available to professional societies, civic clubs, industrial and other organizations, news media representatives, researchers, authors, Congress, other agencies and other members of the public in connection with NASA public affairs activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records are maintained in file folders.

Retrievability: Records are indexed by name.

Safeguards: Since the records are a matter of public information, no safeguard requirements are necessary.

Retention and disposal: Records are maintained as long as there is potential public interest in them and are disposed of when no longer required.

System manager(s) and address: Chief, NASA Newsroom, Public Affairs Division, Location 1.

Subsystem Managers: The Public Affairs Officer at Locations 2, 3, 4, 5, 6, 7, 8, 9, and 11 as set forth in Appendix A.

Notification procedure: An individual desiring to find out if a Biographical System of Records contains a record pertaining to him/her should call, write, or visit the Public Affairs Office at the appropriate NASA location.

Record access procedures: An individual may request access to his/her record by calling, writing, or visiting the Public Affairs Office at the appropriate NASA locations. Individuals may examine or obtain a copy of their biographical record at any time.

Contesting record procedures: The information in the record was provided voluntarily by the individual with the understanding that the information will be used for public release. The individual is at liberty at any time to revise, update, add, or delete information in his/her biographical record to his/her own satisfaction.

Record source categories: Information in the biography of an individual in the system of records is provided voluntarily by the individual generally with the aid of a form questionnaire.

NASA 10EEOR

System name: Equal Opportunity Records - NASA.

System location: Locations 1 through 9 inclusive and Location 11 as set forth in Appendix A.

Categories of individuals covered by the system: Employees and applicants for employment.

Categories of records in the system: (1) Complaints and (2) applications.

Authority for maintenance of the system: 42 U. S. C. 2473; 44 U. S. C. 3101; Executive Order 11478, dated August 8, 1969; EEOC Regulations; 29 CFR Part 1613; MSPB Regulations; 5 CFR Parts 1200 - 1202; Equal Opportunity Act 1972, as amended (Pub. L. 92-261); Section 15 of the Age Discrimination in Employment Act of 1967, as amended (Pub. L. 93-259).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information contained in this system of records is used within NASA to process complaints of alleged discrimination, including investigations, hearings, and appeals; to maintain active discrimination complaints files; and to retain inactive discrimination complaints files.

In addition to the internal uses of the information contained in this system of records, the following are routine uses outside of NASA: (1) Disclosures to the Equal Employment Opportunity Commission and the Merit Systems Protection Board to facilitate their processing of discrimination complaints, including investigations, hearings and reviews on appeals; (2) Responses to other Federal agencies and other organizations having legal and administrative responsibilities related to the NASA Equal Employment Opportunity Programs and to individuals in the record; (3) Disclosures may be made to a Congressional office from the record of an individual in response to a written inquiry from the Congressional office made at the request of that individual; and (4) Standard routine uses 1 through 4 inclusive as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained.

Safeguards: Records are located in locked metal file cabinets, or in metal file cabinets in secured rooms with access limited to those whose official duties require access and are locked during non-duty hours.

Retention and disposal: Complaint case files for cases resolved within the agency, by EEOC, or by U.S. Court, are destroyed 4 years after resolution of the case. Other routine office records are reviewed periodically, and are retained or destroyed as appropriate.

System manager(s) and address: Assistant Administrator for Equal Opportunity Programs, Location 1.

Subsystem managers: Director, Equal Opportunity Office at Location 1; Chief, Equal Opportunity Programs Office at Location 2; Head, Equal Opportunity Programs Office at Location 4; Chief, Equal Opportunity Programs Officer at Location 5; Director, Equal Opportunity Program Office at Location 6; Head, Office of Equal Opportunity Programs at Location 7; Chief, Office of Equal Employment Opportunity at Location 8; Director, Equal Opportunity Office at Location 9; Manager, Equal Employment Opportunity/Affirmative Action Programs at Location 10; Equal Opportunity Officer at Location 11. Locations are as set forth in Appendix A.

Notification procedure: Information may be obtained from the cognizant system or subsystem manager listed above.

Record access procedures: Requests from individuals should be addressed to the same address as stated in the notification section above.

Contesting record procedures: The NASA regulations for access to records and for contesting contents and appealing initial determinations by the individual concerned appear at 14 CFR Part 1212.

Record source categories: Employees, applicants, installation EEO officers, complainants, EEO counselors, EEO investigators, EEOC complaints examiners, MSPB officials, complaints coordinators, Assistant Administrator for Equal Opportunity Programs.

NASA 10ERMS

System name: Executive Resources Management System - NASA.

System location: Location 1, as set forth in Appendix A.

Categories of individuals covered by the system: Approximately 2,000 individuals with experience and education unique to the NASA mission in the technical and administrative fields who are considered to be candidates for key positions within NASA.

Categories of records in the system: Biographical data, education, training, work experience, career interests.

Authority for maintenance of the system: 42 U.S.C. 2473, 44 U.S.C. 3101, 5 U.S.C. 4103; 5 U.S.C. 3396..

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information contained in this system of records is used within NASA for the identification of replacement candidates. In addition to the internal uses of the information contained in this system of records, the following are routine uses outside of NASA: (1) Disclosures may be made to organizations or individuals having contract, legal administrative or cooperative relationships with NASA, including labor unions, academic organizations, governmental organizations, non-profit organizations, and contractors; and to organizations or individuals seeking or having available a service or other benefit or advantage. The purpose of such disclosures is to satisfy a need or needs, further cooperative relationships, offer information, or respond to a request; (2) Statistical or data presentations may be made to governmental or other organizations or individuals having need of information about individuals in the records; (3) Responses may be made to other federal agencies, and other organizations having legal or administrative responsibilities related to programs and individuals in the records; (4) Disclosure may be made to a Congressional office from the record of an individual in response to a written inquiry from the Congressional office made at the request of that individual; and (5) Standard routine uses 1 through 4 inclusive as set forth in Appendix B may also apply.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, lists, forms, index cards, microfilm, microfiche, and/or various computer storage devices such as discs, magnetic tapes and punched cards.

Retrievability: The records are indexed by social security number.

Safeguards: Records are protected in accordance with the requirements and procedures which appear in the NASA regulations at 14 CFR Part 1212.

Retention and disposal: Records are retained for varying periods of time depending on the need for use of the files and are destroyed or otherwise disposed of when no longer needed.

System manager(s) and address: Director, Office of Development, Location 1.

Subsystem Managers. None.

Notification procedure: Information may be obtained from the System Manager only.

Record access procedures: Requests from individuals should be addressed to the same address stated in the notification section above.

Contesting record procedures: The NASA regulations pertaining to access to records and for contesting contents and appealing initial determinations by the individual concerned are set forth in 14 CFR Part 1212.

Record source categories: Individuals to whom the records pertain, NASA employees, other Federal employees, other organizations and individuals, and NASA personnel records.

NASA 10GMVP

System name: Government Motor Vehicle Operators Permit Records - NASA.

System location: Locations 1 through 14 inclusive as set forth in Appendix A.

Categories of individuals covered by the system: NASA employees, contractor employees, other federal and state government employees. Location 8 does not maintain records on contractor employees.

Categories of records in the system: Name, home address, Social Security Number, physical description of individual, physical condition of individual, traffic record.

Authority for maintenance of the system: 42 U.S.C. 2473; 44 U.S.C. 3101; Federal Personnel Management Manual, Chapter 930; Federal Property Management Regulations Subpart 101-39.601; NASA Management Instruction 6720.1B.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information contained in this system of records is used within NASA for the purpose of identifying and checking record of applicant and issuing permits for operation of Government vehicles. In addition to the internal uses of the information contained in this system of records, the following are routine uses outside of NASA: (1) National Driver Register, Department of Transportation, where Form 1047 is received for check and (2) Standard routine uses 1 through 4 inclusive, as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders.

Retrievability: Indexed by name.

Safeguards: Records are kept in a locked metal file cabinet with access limited to those whose official duties require access. Room is locked during non-duty hours.

Retention and disposal: Records are maintained for a period of 3 years when permit expires or until permit holder leaves the Agency or requests cancellation. Records are destroyed when no longer required.

System manager(s) and address: Chief, Support Services Branch, Location 1.

Subsystem Managers: Chief, Security Branch, Location 2; Transportation Officer, Location 3; Chief, Logistics Management Division, Location 4; Chief, Transportation Branch, Location 5; Chief of Transportation, Location 6; Chief, Management Support Division, Location 7; Transportation and Motor Vehicle Officer, Location 8; Director, Management Operations Office, Location 9; Chief Installation Operations, Location 11; Chief, Administration Office, Location 12; Chief, Maintenance and Administration Office, Location 13; Chief of Facilities, Location 14. Locations are as set forth in Appendix A.

Notification procedure: Information may be obtained from the cognizant system manager listed above.

Record access procedures: Requests from individuals should be addressed to the same address as stated in the Notification section above.

Contesting record procedures: The NASA regulations for access to records and for contesting contents and appealing initial determinations by the individual concerned appear at 14 CFR Part 1212.

Record source categories: Individual NASA employees and individual contractor employees. Location 8 does not maintain records on contractor employees.

NASA 10HABC

System name: History Archives Biographical Collection-NASA.

System location: Locations 1 and 5 as set forth in Appendix A.

Categories of individuals covered by the system: Individuals who are of historical significance in aeronautics, astronautics, space science, and other concerns of NASA.

Categories of records in the system: Biographical data; speeches and articles by the individual; correspondence, interviews, and various other tapes and transcripts of program activities.

Authority for maintenance of the system: 42 U.S.C. 2473 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information contained in this system of records is used within NASA for researching and writing official histories and answering queries from various NASA offices. In addition to the internal uses of the information contained in this system of records, the following are routine uses outside of NASA: Disclosure to scholars (historians and other disciplines), or any other interested individuals for research and to write dissertations, articles, and books, for government, commercial and non-profit publication or develop material for other media use.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are stored in file folders or file boxes as appropriate.

Retrievability: The records are indexed by name.

Safeguards: Because these records are archive material and therefore a matter of public information, there are no special safeguard procedures required.

Retention and disposal: Most biographical files are retained indefinitely, either in the archives or retired to the appropriate Federal Records Center.

System manager(s) and address: Director, History Office, Code LBH, Location 1.

Subsystems Managers: JSC History Office Coordinator, Code BY, Location 5 (Locations are set forth in Appendix A).

Notification procedure: Information may be obtained from the cognizant system or subsystem manager listed above.

Record access procedures: Requests from individuals should be addressed to same address as stated in the Notification section above.

Contesting record procedures: The NASA regulations for access to records and for contesting contents and appealing initial determinations by the individual concerned appear at 14 CFR Part 1212.

Record source categories: Press releases, newspapers, journals, and the individuals themselves and copies of internal agency records.

NASA 10HERD

System name:

Human Experimental and Research Data Records - NASA.

System location:

Locations 2, 3, 5, 6, and 9, as stated in Appendix A.

Categories of individuals covered by the system:

Individuals who have been involved in space flight, aeronautical research flight, and/or participated in NASA tests or experimental or research programs; Civil Service employees, military, employees of other government agencies, contractor employees, students, human subjects (volunteer or paid), and other volunteers on whom information is collected as part of an experiment or study.

Categories of records in the system:

Data obtained in the course of an experiment, test, or research medical data from inflight records; other information collected in connection with an experiment, test, or research.

Authority for maintenance of the system:

42 U.S.C. 2473 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information contained in this system of records is used by NASA for the purposes of evaluating new analytical techniques, equipment, and re-examining flight data for alternative interpretations, developing applications of experimental techniques or equipment, reviewing and improving operational procedures with respect to experimental protocols (both inflight and ground), life support systems operating procedures, determining human engineering requirements, and carrying out other research.

In addition to the internal use of the information contained in this system of records, the following are routine uses outside of NASA: (1) Disclosures to other individuals or organizations, including Federal, State, or local agencies, and nonprofit, educational, or private entities, who are participating in NASA programs or are otherwise furthering the understanding or application of biological, physiological, and behavioral phenomena as reflected in the data contained in this system of records; and (2) the standard routine use 4 as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are in file folders; on punch cards, magnetic tapes, or discs; on microfilm, microfiche, still photographs, or motion picture film; and on various medical recordings such as electrocardiographic tapes, stripcharts, and x-rays.

Retrievability:

By name, experiment or test; arbitrary experimental subject number; flight designation; or crew member designation on a particular space or aeronautical flight.

Safeguards:

Access is limited to Government personnel requiring access in the discharge of their duties, and to appropriate support contractor employees on a need-to-know basis. Computerized records are identified by code number and records are maintained in locked rooms or files. Records are protected in accordance with the requirements and procedures which appear in the NASA regulations set forth in 14 CFR Part 1212.

Retention and disposal:

Astronaut records are retained indefinitely. Ground test and research data are retained for varying periods of time depending on the need for use of the files, and are destroyed or otherwise disposed of when no longer needed, except that significant medical data will be handled in accordance with OPM regulations and NASA Control Schedule 11.

System manager(s) and address:

Director, NASA Occupational Health Office, Location 1.

Subsystem Managers: Research Assistant to the Director, Location 2; Director of Man/Systems Integration Division, Location 3; Assistant Director for Life Sciences, Space and Life Sciences Directorate, Location 5; Director, Biomedical Office, Location 6; Director, Management Services Office, Location 9. Locations are as set forth in Appendix A.

Notification procedure:

Information may be obtained from the system or subsystem manager named above.

Record access procedures:

Requests from individuals should be addressed to the same address as stated in the Notification section above.

Contesting record procedures:

The NASA regulations for access to records and for contesting and appealing initial determinations by the individual concerned appear at 14 CFR Part 1212.

Record source categories:

Experimental test subjects, physicians, principal investigators and other researchers, and previous experimental test or research records.

NASA 10IGIC

System name:

Inspector General Investigations Case Files - NASA.

System location:

National Aeronautics and Space Administration, Washington, DC 20546.

Subsystem Locations: Locations 1, 2, 4, 5, 6, 7, 8, 9 and 10 as set forth in Appendix A.

Categories of individuals covered by the system:

Current and former employees of NASA, contractors and subcontractors, and others whose actions have affected NASA.

Categories of records in the system:

Case files pertaining to matters including, but not limited to, the following classifications of cases: (1) Fraud against the Government, (2) Theft of Government property, (3) Bribery, (4) Lost or stolen lunar samples, (5) Misuse of Government property, (6) Conflict of interest, (7) Waiver of claim for overpayment of pay, (8) Leaks of Source Evaluation Board information, (9) Improper personal conduct, (10) Irregularities in awarding contracts.

Authority for maintenance of the system:

42 U.S.C. 2473; 44 U.S.C. 3101; 28 U.S.C. 535 (b); 5 U.S.C. App. I; 4 CFR Part 91; Executive Order 11478.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information contained in this system of records is used within NASA for: (1) Providing management with information which will serve as a possible basis for appropriate administrative action or the establishment of NASA policy, (2) Providing the Administrator of NASA (or the Comptroller General, as appropriate) sufficient information to provide a basis for decision concerning a request for waiver of claim in the case of an erroneous payment of pay.

In addition to the internal uses of the information contained in this system of records, the following are routine uses outside of NASA: (1) Responding to the White House regarding matters inquired of; (2) Disclosure to a Congressional office from the record of an individual in response to a written inquiry from the Congressional office made at the request of that individual; (3) Providing data to Federal intelligence elements; (4) Providing data to any source from which information is requested in the course of an investigation, to the extent necessary to identify the individual, inform the source of the nature and purpose of the investigation, and to identify the type of information requested; (5) Providing personal identifying data to Federal, State, local or foreign law enforcement representatives seeking confirmation of identity of persons under investigation; (6) Disclosing, as necessary, to a contractor, subcontractor, or grantee firm or institution to the extent that the disclosure is in NASA's interest and is relevant and necessary in order that the contractor/subcontractor/grantee is able to take administrative or corrective action; (7) Standard routine uses 1 through 4 inclusive as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information in the system is stored in file folders, index cards and on computer tapes and disks.

Retrievability:

Information is retrieved by name of individual.

Safeguards:

Information is kept in locked metal file cabinets, and in secured vault and secured computer rooms. Access is limited to Inspector General personnel with a need-to-know.

Retention and disposal:

Special interest case files are reviewed for destruction or further retention 10 years after case is closed and routine interest case files are destroyed 5 years after case is closed. Case is not closed until all judicial and administration avenues and considerations have been finally exhausted. (Special interest files are those investigative files which the Assistant Inspector General for Investigations determines should be retained because of especially significant, sensitive, or historical content. All other files are routine interest files.)

System manager(s) and address:

Assistant Inspector General for Investigations, Location 1.

Subsystem Managers: Director, Headquarters and Special Projects OIG Office, Location 1; Director, OIG Office at Ames Research Center, Location 2; Director, OIG Office at Goddard Space Flight Center, Location 4; Director, OIG Office at Lyndon B. Johnson Space Center, Location 5; Director, OIG Office of John F. Kennedy Space Center, Location 6; Director, OIG Office at Langley Research Center, Location 7; Director, OIG Office at Lewis Research Center, Location 8; Director, OIG Office at George C. Marshall Space Flight Center, Location 9; and Director, OIG Office at NASA Resident Office - JPL, Location 10.

Notification procedure:

None. System is exempt. See below.

Record access procedures:

Same as above.

Contesting record procedures:

Same as above.

Record source categories:

Exempt.

Systems exempted from certain provisions of the act:

The Inspector General Investigations Case Files system of records is exempt from all sections of the Privacy Act of 1974 (5 U.S.C. 552a), EXCEPT the following:

(b) Relating to conditions of disclosure; (c)(1) and (2) relating to keeping and maintaining a disclosure accounting; (e)(4)(A) through (F) relating to publishing an annual system notice setting forth name, location, categories of individuals and records, routine uses, and policies regarding storage, retrievability, access controls, retention and disposal of the records; (e)(6), (7), (9), (10) and (11) relating to agency requirements for maintaining systems; and (i) relating to criminal penalties.

The determination to exempt this system of records has been made by the Administrator of NASA in accordance with 5 U.S.C. 552a(j) and Subpart 7 of the NASA regulations appearing in 14 CFR Part 1212, for the reason that the Office of Inspector General, NASA, is a component of NASA which performs as its principal function activity pertaining to the enforcement of criminal laws, within the meaning of 5 U.S.C. 552a(j)(2).

NASA 10PAYS

System name:

Payroll Systems - NASA.

System location:

Locations 1, 2, 3, 4, 5, 6, 7, 8, 9, and 11, as set forth in Appendix A.

Categories of individuals covered by the system:

Present and former NASA employees.

Categories of records in the system:

The data contained in this system of records includes payroll, employee leave, insurance, labor and human resource distribution and overtime information.

Authority for maintenance of the system:

42 U.S.C. 2473; 44 U.S.C. 3101; 5 U.S.C. 5501 et seq.; 5 U.S.C. 6301 et seq.; General Accounting Office Policy and Procedures Manual for Guidance of Federal Agencies, Title 6; Treasury Fiscal Requirements Manual, Part III; Federal Personnel Manual; and NASA Financial Management Manual, Sections 9300 and 9600.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information contained in this system of records is used within NASA for maintaining the payroll records and related areas.

In addition to the internal uses of the information contained in this system of records, the following are routine uses outside of NASA: (1) To furnish to a third party a verification of an employee's status upon written request of the employee; (2) To facilitate the verification of employee contributions and insurance data with carriers and collection agents; (3) To report to the Office of Personnel Management (a) withholdings of premiums for life insurance, health benefits and retirement, and (b) separated employees subject to retirement; (4) To furnish the U. S. Treasury magnetic tape reports on net pay, net savings allotments and bond transmittal pertaining to each employee; (5) To provide the Internal Revenue Service with detail of wages taxable under the Federal Insurance Contributions Act and to furnish a magnetic tape listing on Federal tax withholdings; (6) To furnish various financial institutions itemized listings of employee's pay and savings allotments transmitted to the institutions in accordance with employee requests; (7) To provide various Federal, state, and local taxing authorities itemized listing of withholdings for individual income taxes; (8) To respond to requests by State employment security agencies and the U.S. Department of Labor for employment, wage, and separation data on former employees for the purpose of determining eligibility for unemployment compensation; (9) To report to various Combined Federal Campaign offices total contributions withheld from employee wages; (10) To furnish leave balances and activity to the Office of Personnel Management upon request; (11) To furnish data to labor organizations in accordance with negotiated agreements; (12) To furnish pay data to the Department of State for certain NASA employees located outside the United States; (13) To furnish data to a consumer reporting agency in accordance with Section 3711(f) of Title 31; and (14) Standard routine uses 1 through 4 inclusive as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, magnetic tape, and microfilm.

Retrievability:

Records are indexed by name and/or social security number.

Safeguards:

Records are protected in accordance with the requirements and procedures which appear in the NASA regulations at 14 CFR Part 1212.

Retention and disposal:

Records are retained for audit by the General Accounting Office and are transferred to the National Personnel Records Center, St. Louis, Missouri, anywhere from 1 to 3 years. Records are retained and destroyed in accordance with the policies and procedures outlined in NASA Records Disposition Handbook - NHB 1441.1A.

System manager(s) and address:

Director, Financial Management Division, Office of the Comptroller, Location 1.

Subsystem Managers: Chief, Financial Management Division, Locations 2, 4, 5, 7 and 8; Financial Management Officer, Locations 3; Chief, Financial Management Office, Location 6; Director, Financial Management Office, Location 9; Chief, Resources and Financial Management Office, Location 11. Locations are as set forth in Appendix A.

Notification procedure:

Information may be obtained from the cognizant system or subsystem manager listed above.

Record access procedures:

Requests from individuals should be addressed to the same address as stated in the notification section above.

Contesting record procedures:

The NASA regulations for access to records and for contesting contents and appealing initial determinations by the individual concerned appear at 14 CFR Part 1212.

Record source categories:

Individual on whom the record is maintained, personnel office, and the individual's supervisor.

NASA 10SCCF

System name:

Standards of Conduct Counselling Case Files - NASA.

System location:

National Aeronautics and Space Administration, Washington, DC 20546.

Categories of individuals covered by the system:

Current, former, and prospective NASA employees, who have sought advice or have been counselled regarding conflict of interest requirements for government employees.

Categories of records in the system:

Depending upon the nature of the problem, information collected may include employment history, financial data, and information concerning family members.

Authority for maintenance of the system:

42 U.S.C. 2473; 44 U.S.C 3101; 18 U.S.C. 201, 203, 205, 207-209; 5 U.S.C. 7324-7327; Executive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information contained in the system of records is used within NASA for the purpose of counseling employees regarding conflict of interest problems. In addition to the internal uses of the information contained in this system of records, the following are routine uses outside of NASA: (1) Office of Personnel Management and Merit Systems Protection Board: For investigation of possible violations of standards of conduct which the agencies directly oversee; (2) Standard routine uses 1 through 4 inclusive as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are documentary and maintained in loose leaf binders or file folders.

Retrievability:

By name of individual.

Safeguards:

Restricted access to a few authorized persons; stored in combination lock safe.

Retention and disposal:

Retained indefinitely.

System manager(s) and address:

Assistant General Counsel for General Law, Code GG, NASA Headquarters, Washington, DC 20546.

Notification procedure:

Information may be obtained from the System Manager.

Record access procedures:

Requests from individuals should be addressed to the System Manager and must include employee's full name and NASA installation where employed.

Contesting record procedures:

The NASA regulations and procedures for access to records and for contesting contents and appealing initial determinations by the individual concerned appear at 14 CFR Part 1212.

Record source categories:

Information collected directly from individual and from his/her official employment record.

NASA 10SECR

System name:

Security Records System - NASA.

System location:

Locations 1 through 9 inclusive and Location 11, 12, and 14 as set forth in Appendix A.

Categories of individuals covered by the system:

Employees, applicants, NASA committee members, NASA consultants, NASA experts, NASA Resident Research Associates, guest workers, contractor employees, detailees, visitors, correspondents (written and telephonic), Faculty Fellows, sources of information.

Categories of records in the system:

Personnel Security Records, Criminal Matter Records, Traffic Management Records.

Authority for maintenance of the system:

National Aeronautics and Space Act, Pub. L. 85-568; Espionage and Information Control Statutes, 18 U.S.C. 793 through 799; Sabotage Statutes, 18 U.S.C. 2151 through 2157; Conspiracy Statute, 18 U.S.C. 371; 18 U.S.C. 202-208 and 3056; Internal Security Act of 1950, 5 U.S.C. 781 through 798; Atomic Energy Act of 1954, Pub. L. 703; Executive Order 12356, Classification and Declassification of National Security Information and Material; Executive Order 10865, Safeguarding Classified Information Within Industry; Executive Order 10450, Security Requirements for Government Employees; Pub. L. 81-733; Executive Order 11490, Assigning Emergency Preparedness Functions to Federal Departments and Agencies; Federal Property Management Regulation, 41 CFR Subpart 101-11; Federal Personnel Manual, Chapters 732 and 736; 14 CFR Part 1203a; 42 U.S.C. 2473 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Personnel Security Records: The information contained in this category of records is used within NASA for the purpose of granting security clearances; for determining qualifications, suitability, and loyalty to the United States Government; for determining qualifications for access to classified information, security areas, and NASA installations, and for determining qualifications to travel to Communist controlled areas.

In addition to the internal uses of the information contained in this category of records, the following are routine uses outside of NASA: (1) To determine eligibility to perform classified visits to other Federal agencies and contractor facilities; (2) To provide data to Federal intelligence elements; (3) To provide data to any source from which information is requested in the course of an investigation, to the extent necessary to identify the individual, inform the source of the nature and purpose of the investigation, and to identify the type of information requested; (4) To provide a basis for determining preliminary visa eligibility; (5) To respond to White House inquiries; (6) Disclosures may be made to a Congressional office from the record of an individual in response to a written inquiry from the Congressional office made at the request of that individual; (7) To provide personal identifying data to Federal, State, local, or foreign law enforcement representatives seeking confirmation of identity of persons under investigation; (8) Disclosure to a NASA contractor, subcontractor, grantee, or other government organization information developed in an investigation or administrative inquiry concerning a violation of a Federal or State statute or NASA regulation on the part of an officer or employee of the contractor, subcontractor, grantee, or other government organization; and (9) Standard routine uses 1 through 4 inclusive as set forth in Appendix B.

Criminal Matter Records: The information contained in this category of records is used within NASA for providing management with information which will serve as a possible basis for administrative action. In addition to the internal uses of the information contained in this category of records, the routine uses outside of NASA are: (1) To provide personal identifying data to Federal, State, local, or foreign law enforcement representatives seeking confirmation of identity of persons under investigation; (2) To provide a NASA contractor, subcontractor, grantee, or other government organization information developed in an investigation or administrative inquiry concerning a violation of a Federal or State statute or NASA regulation on the part of an officer or employee of the contractor, subcontractor, grantee, or other government organization; and (3) Standard routine uses 1 through 4 inclusive as set forth in Appendix B.

Traffic Management Records: The information contained in this category of records is used within NASA to provide designated officials and employees with data concerning vehicle ownership, traffic accidents, violation of traffic laws, suspension of driving privileges, traffic control, vehicle parking, and car pools. In addition to the internal uses of the information contained in this category of records, the routine uses outside of NASA are: (1) To provide personal identifying data to Federal, State, local, or foreign law enforcement representatives seeking confirmation of identity of persons under investigation; (2) To provide a NASA contractor, subcontractor, grantee, or other government organization information developed in an investigation or administrative inquiry concerning a violation of a Federal or State statute or NASA regulation on the part of an officer or employee of the contractor, subcontractor, grantee, or other government organization; and (3) Standard routine uses 1 through 4 inclusive as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, magnetic tape, punch cards, microfilm, and film.

Retrievability:

Records are indexed by name, file number, organization, place of origin, badge number, decal number, date of event, space number, payroll number, and social security number.

Safeguards:

Access to Personnel Security Records is controlled by Government personnel exclusively. However, access to information extracted from personnel security records or information to be inserted into personnel security records is controlled by either government personnel or selected personnel of NASA contractor guard force or contractor personnel. Examples would be information required to prepare an identification badge and/or process a security clearance visitor request. Access to Criminal Matter Records is controlled by either Government personnel or selected personnel of NASA contractor guard forces. After presenting proper identification and requesting a file or record, a person with a need-to-know and, if appropriate, a proper clearance may have access to a file or record only after it has been retrieved and approved for release by a NASA security representative. These records are secured in security storage equipment.

Traffic Management Records: Access to these records is controlled by either Government personnel or selected personnel of NASA contractor guard forces. Access to these records is permitted after a determination has been made that the requestor has an official interest. These records are stored in locked containers.

Retention and disposal:

Records, depending upon type, are retained from 6 months to 30 years before being destroyed. When current immediate need no longer exists, records are either transferred to the appropriate Federal Records Center or destroyed in accordance with records disposal instructions.

System manager(s) and address:

Chief, NASA Security Office, Location 1.

Subsystem Managers: Chief, Security Branch, Locations 2, 4, and 5; Security Officer, Location 3; Chief, Security Office, Location 6; Security Officer, Locations 7, 8, and 11; Chief, Security Division, Location 9; Security Officer at Location 12; Safety and Security Officer at Location 15. Locations are as set forth in Appendix A.

Notification procedure:

Information may be obtained from the cognizant system or subsystem manager listed above. Requests must contain the following identifying data concerning the requestor: First, middle, and last name; date of birth; social security number; period and place of employment with NASA, if applicable.

Record access procedures:

Personnel Security Records compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information have been exempted by the Administrator under 5 U.S.C. 522a (k) (5) from the access provisions of the Act.

Criminal Matter Records compiled for civil or criminal law enforcement purposes have been exempted by the Administrator under 5 U.S.C. 552a (k) (2) from the access provisions of the Act.

Traffic Management Records: Requests from individuals should be addressed to the same address as stated in the Notification section above.

Contesting record procedures:

For Personnel Security Records and Criminal Matters Records see Access, above. For Traffic Management Records, the NASA rules for access to records and for contesting contents and appealing initial determinations by the individual concerned appear in the NASA rules section of the Federal Register.

Record source categories:

Personnel Security Records: Exempt.

Criminal Matter Records: Exempt.

Traffic Management Records: Employees, civil investigative agencies, civil law enforcement agencies, Federal and local judicial systems, medical records.

Systems exempted from certain provisions of the act:

Personnel Security Records compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a confidential source, are exempt from the following sections of the Privacy Act of 1974, 5 U.S.C. 552a:

(c) (3) Relating to access to the disclosure accounting; (d) relating to access to the records; (e) (1) relating to the type of information maintained in the records; (e) (4) (G) (H) and (I) relating to publishing in the annual system notice information as to agency procedures for access and correction and information as to the categories of sources of records; and (f) relating to developing Agency rules for gaining access and making corrections.

The determination to exempt this portion of the Security Records System has been made by the Administrator of NASA in accordance with 5 U.S.C. 552a (k) (5) and Subpart 7 of the NASA regulations appearing in 14 CFR Part 1212.

Criminal Matter Records to the extent they constitute investigatory material compiled for law enforcement purposes are exempt from the following sections of the Privacy Act of 1974, 5 U.S.C. 552a:

(c) (3) Relating to access to the disclosure accounting; (d) relating to access to the records; (e) (1) relating to the type of information maintained in the records; (e) (4) (G) (H) and (I) relating to publishing in the annual system notice information as to agency procedures for access and correction and information as to the categories of sources of records; and (f) relating to developing Agency rules for gaining access and making corrections.

The determination to exempt this portion of the Security Records System has been made by the Administrator of NASA in accordance with 5 U.S.C. 552a (k) (2) and Subpart 7 of the NASA regulations appearing in 14 CFR Part 1212.

Records subject to the provisions of 5 U.S.C. 552 (b) (1) (required by Executive order to be kept secret in the interest of national defense or foreign policy) are exempt from the following sections of the Privacy Act of 1974, 5 U.S.C. 552a:

(c) (3) Relating to access to the disclosure accounting; (d) relating to the access to the records; (e) (1) relating to the type of information maintained in the records; (e) (4) (G) (H) and (I) relating to publishing in the annual system notice information as to agency procedures for access and correction and information as to the categories of sources of records; and (f) relating to developing Agency rules for gaining access and making corrections.

The determination to exempt this portion of the Security Records System has been made by the Administrator of NASA in accordance with 5 U.S.C. 552A (k) (1) and Subpart 7 of the NASA regulations appearing in 14 CFR Part 1212.

NASA 10HIMS

System name:

Health Information Management System - NASA.

System location:

In Medical Clinics/Units and Environmental Health Offices at locations 1 through 15 inclusive as set forth in Appendix A.

Categories of individuals covered by the system:

NASA Civil Service employees and applicants; other Agency civil service and military employees working at NASA; visitors to field installations; on-site contractor personnel who receive job related examinations, have mishaps or accidents, or come to clinic for emergency or first aid treatment; space flight personnel and their families.

Categories of records in the system:

General medical records of first aid, emergency treatment, examinations, exposures, and consultations.

Information resulting from physical examinations, laboratory and other tests, and medical history forms; treatment records; screening examination results; immunization records; administration of medications prescribed by private/personal physicians; statistical records; examination schedules; daily log of patients; correspondence; chemical, physical, and radiation exposure records; other environmental health data; alcohol/drug patient information; consultation records; and health hazard and abatement data.

Astronauts and their families - more detailed and complex physical examinations.

Authority for maintenance of the system:

42 U.S.C. 2473; 44 U.S.C. 3101; OMB Circular A-72; Pub. L. 92-255; Pub. L. 79-658.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information contained in this system of records is used within NASA for the following purposes: Reference by examining physicians in conduct of physical examinations; review by physicians in consideration of fitness for duty; evaluation for physical disability retirement; statistical data development; patient recall; in-space medical evaluation for astronauts; exposure data for radiation/toxic exposure limits, compliance and examinations; consultations; evaluation of employees, applicants, and contractor employees for specialized or hazardous duties; and for determining reliability pursuant to the Space Transportation System, Personnel Reliability Program (14 CFR Part 1214 Subpart 1214.5, NASA Management Instruction 8610.13).

In addition to the internal uses of the information contained in this system of records, the following are routine uses outside of NASA: (1) Referral to private physicians designated by the individual when requested in writing; (2) Patient referrals; (3) Referral to OPM, OSHA and other Federal agencies as required in accordance with these special program responsibilities; (4) Referral of information to a non-NASA individual's employer; (5) Evaluation by medical consultants; (6) Disclosure to the employer of non-NASA personnel, information affecting the reliability of such office or employee for purposes of the Space Transportation System, Personnel Reliability Program; (7) Disclosure to the public of a summary of flight crew information as it relates to mission impact, and limited to name, diagnosis, treatment, and prognosis; and (8) Standard routine use 4 as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are in file folders, punch cards, electrocardiographic tapes, x-rays, microfiche, and computer discs and tapes. They are handled between NASA installations by telecommunications.

Retrievability:

By name, date of birth and social security number.

Safeguards:

Access limited to concerned medical environmental health personnel on a need-to-know basis. Computerized records are identified by code number and records are maintained in locked rooms or files. Records are protected in accordance with the requirements and procedures which appear in the NASA regulations at 14 CFR Part 1212.

Retention and disposal:

In accordance with Office of Personnel Management regulations and NASA Control Schedule II. Records on astronauts are retained permanently.

System manager(s) and address:

Director, NASA Occupational Health Office, Location 1.

Subsystem Managers: Medical Director or Medical Administrator or Safety and Health Coordinator at Locations 1 through 15 inclusive as set forth in Appendix A.

Notification procedure:

Information may be obtained from the cognizant system or subsystem manager listed above.

Record access procedures:

Requests from individuals should be addressed to the same address as stated in the Notification section above.

Contesting record procedures:

The NASA regulations for access to records and for contesting contents and appealing initial determinations by the individual concerned appear in 14 CFR Part 1212.

Record source categories:

Individuals, physicians and previous medical records of individuals.

NASA 10SPER

System name:

Special Personnel Records - NASA.

System location:

Locations 1 through 9 inclusive and Location 11 as set forth in Appendix A.

Categories of individuals covered by the system:

Candidates for and recipients of awards or NASA training; civilian and active duty military detailees to NASA; participants in enrollee programs; Faculty, Science, National Research Council and other Fellows, Associates and Guest Workers including those at NASA installations but not on NASA rolls; NASA contract and grant awardees and their associates having access to NASA premises and records; individuals with interest in NASA matters including Advisory Committee Members; NASA employees and family members, prospective employees and former employees.

Categories of records in the system:

Special Program Files including: (1) Alien Scientist files; (2) Award files; (3) Counseling files, life and health insurance, retirement, upward mobility, and work injury counseling files; (4) Military and Civilian Detailee files; (5) Personnel Development files such as nominations for and records of training or education, Upward Mobility Program files, Intern Program files, Apprentice files, and Enrollee Program files; (6) Special Employment files such as Federal Junior Fellowship Program files, Stay-in-School Program files, Summer Employment files, Worker-Trainee Opportunity Program files, NASA Executive Position files, Expert and Consultant files, and Cooperative Education Program files; and (7) Supervisory appraisals under Competitive Placement Plan.

Correspondence and related information including: (1) Claims correspondence and records about insurance such as life, health, and travel; (2) Congressional and other Special Interest correspondence, including employment inquiries; (3) Correspondence and records concerning travel related to permanent change of station; (4) Debt complaint correspondence; (5) Employment interview records; (6) Information related to outside employment and activities of NASA employees; (7) Placement follow-ups; (8) Pre-employment inquiries and reference checks; (9) Preliminary records related to possible adverse actions; (10) Records related to reductions-in-force; (11) Records under agency as well as negotiated grievance procedures; (12) Separation information including exit interview records, death certificates and other information concerning deaths, retirement records, and other information pertaining to separated employees; (13) Special planning, analysis, and administrative information; (14) Performance appraisal records; (15) Working papers for prospective or pending retirements.

Special Records and Rosters including: (1) Locator files; (2) Ranking lists of employees; (3) Repromotion candidate lists; (4) Retired military employee records; (5) Retiree records.

Agencywide and installation automated personnel information.

Rosters, applications, recommendations, assignment information and evaluations of Faculty, Science, National Research Council and other Fellows, Associates and Guest Workers including those at NASA installations but not on NASA rolls; also, information about NASA contract and grant awardees and their associates having access to NASA premises and records.

Information about members of advisory committees and similar organizations.

All NASA-maintained information of the same types as, but not limited to, that information required in systems of records for which the Office of Personnel Management and other Federal personnel-related agencies publish governmentwide Privacy Act Notices in the Federal Register.

Authority for maintenance of the system:

42 U.S.C. 2473; 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information contained in this system of records is used by officials and employees within NASA for preview, planning, review and management decisions regarding personnel and activities related to the records.

In addition to the internal uses of the information contained in this system of records the following are routine uses outside of NASA: (1) Disclosures may be made to organizations or individuals having contract, legal, administrative or cooperative relationships with NASA, including labor unions, academic organizations, governmental organizations, non-profit organizations, and contractors; and to organizations or individuals seeking or having available a service or other benefit or advantage. The purpose of such disclosures is to satisfy a need or needs, further cooperative relationships, offer information, or respond to a request; (2) Statistical or data presentations may be made to governmental or other organizations or individuals having need of information about individuals in the records; (3) Responses may be made to other Federal agencies, and other organizations having legal or administrative responsibilities related to programs and individuals in the records; (4) Disclosure may be made to a Congressional office from the record of an individual in response to a written inquiry from the Congressional office made at the request of that individual; and (5) Standard routine uses 1 through 4 inclusive as set forth in Appendix B may also apply.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, lists, forms, index cards, microfilm, microfiche, and/or various computer storage devices such as discs, magnetic tapes and punched cards.

Retrievability:

Records are indexed by any one or a combination of name, birthdate, social security number, or identification number.

Safeguards:

Records are protected in accordance with the requirements and procedures which appear in the NASA regulations at 14 CFR Part 1212.

Retention and disposal:

Records are retained for varying periods of time depending on the need for use of the files, and are destroyed or otherwise disposed of when no longer needed.

System manager(s) and address:

Director, Personnel Programs Division, Location 1.

Subsystem Managers: Director, Headquarters Personnel and Office of Inspector General, Location 1; Director of Personnel, Locations 2, 3, 4, 5, 6, 7, 8, and 9; Chief, Personnel Office, Location 11. Locations are as set forth in Appendix A.

Notification procedure:

Apply to the System or Subsystem Manager at the appropriate location above. In addition to personal identification (name, social security number, etc.), indicate the specific type of record, the appropriate date or period of time, and the specific kind of individual applying (e.g., employee, former employee, contractor employee, etc.).

Record access procedures:

Same as notification procedures above.

Contesting record procedures:

The NASA regulations pertaining to access to records and for contesting contents and appealing initial determinations by the individual concerned are set forth in 14 CFR Part 1212.

Record source categories:

Individuals to whom the records pertain, NASA employees, other Federal employees, other organizations and individuals.

NASA 10XROI

System name:

Exchange Records on Individuals - NASA.

Security classification:

Locations 6, 7, 8, and 9 as set forth in Appendix A.

Categories of individuals covered by the system:

Present and former employees of, and applicants for employment with, NASA Exchanges, Recreational Associations, and Employees' Clubs at NASA installations. Individuals with active loans or charge accounts at one or more of the several organizations.

Categories of records in the system:

Exchange Employees' personnel and payroll records, including injury claims, unemployment claims, biographical data, performance evaluations, annual and sick leave records, and all other employee records. Credit records on NASA employees with active accounts.

Authority for maintenance of the system:

42 U.S.C. 2473 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information contained in this system of records is used within NASA for (1) maintaining exchange employees' payroll, leave, and other records; (2) determining pay adjustment eligibility; (3) determining Federal, State, and City tax withholdings; (4) determining leave eligibility; (5) determining person to notify in emergency; (6) certification of unemployment or injury claims; (7) determining eligibility for employment and promotion; and (8) determining credit standing.

In addition to the internal uses of the information contained in this system of records, the following are routine uses outside of NASA: (1) To furnish a third party a verification of an employee's status upon written request of the employee; (2) To facilitate the verification of employee contributions for insurance data with carriers and collection agents; (3) To provide various Federal, State, and local taxing authorities itemized listing of withholdings for individual income taxes; (4) To respond to State employment compensation requests for wage and separation data of former employees; (5) To report previous job injuries to worker's compensation organizations; (6) For emergency notice to person designated by employee; (7) To report unemployment record to appropriate State and local authorities; (8) When requested, provide other employers with work record; and (9) Standard routine uses 1 through 4 inclusive as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by name.

Safeguards:

Records are protected in accordance with the requirements and procedures which appear in the NASA regulations at 14 CFR Part 1212.

Retention and disposal:

Exchange personnel records are permanent.

System manager(s) and address:

NASA Comptroller, Location 1.

Subsystem Managers: Chairperson, Exchange Council, Locations 6 and 7; Treasurer, NASA Exchange, Location 8; Exchange Operations Manager, Location 9; Head, Administrative Management Branch, and Treasurer Wallops Exchange and Morale Association, Location 4. Locations are as set forth in Appendix A.

Notification procedure:

Individuals may obtain information from the cognizant subsystem managers listed above.

Record access procedures:

Requests from individuals should be directed to the same address as stated in the notification section above.

Contesting record procedures:

The NASA rules for access to records and for contesting contents and appealing initial determinations by the individual concerned appear in the NASA rules section of the Federal Register.

Record source categories:

Individual on whom the record is maintained and the individual's supervisor.

NASA 22ORER

System name:

LeRC Occupational Radiation Exposure Records - NASA.

System location:

Locations 8 and 13, as set forth in Appendix A.

Categories of individuals covered by the system:

Present and former LeRC employees and contractor personnel who may be exposed to radiation.

Categories of records in the system:

Name, date of birth, exposure history, name of license holder, social security number, employment and training history.

Authority for maintenance of the system:

42 U.S.C. 2473; 44 U.S.C 3101; 42 U.S.C. 2021, 2073, 2093, 2095 2111, 2133, 2134, 2201; 10 CFR Part 20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information contained in this system of records is used within NASA to inform individuals of their radiation dosage.

In addition to the internal uses of the information contained in this system of records, the following are routine uses outside of NASA: (1) Standard routine uses 1 through 4 inclusive as set forth in Appendix B and (2) The Nuclear Regulatory Commission (formerly Atomic Energy Commission) may inspect records pursuant to fulfilling their responsibilities in administering and issuing licenses to use radiation sources.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by name.

Safeguards:

Records are personally supervised during the day and locked in the office at night.

Records are protected in accordance with the requirements and procedures which appear in the NASA rules section of the Federal Register.

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

Chief, Office of Environmental Health, Location 8.

Subsystem Manager: Manager, Plum Brook Reactor Facility, Location 13. Locations are set forth in Appendix A.

Notification procedure:

Individuals may obtain information from the cognizant System Manager or Subsystem Manager listed above.

Record access procedures:

Same as above.

Contesting record procedures:

The NASA rules for access to records and for contesting contents and appealing initial determinations by the individual concerned appear in the NASA rules section of the Federal Register.

Record source categories:

Individual is sole source.

NASA 51 Lists

System name:

Locator and Information Services Tracking System (LISTS)—NASA.

System location:

Goddard Space Flight Center, Greenbelt, MD 20771.

Categories of individuals covered by the system:

All on-site and off-site NASA/GSFC civil servants and on-site and near-site contractors, tenants, and other guest workers possessing or requiring badge identifications.

Categories of records in the system:

In order to achieve the goal for LISTS of a comprehensive and accurate source of information for institutional services and planning, general and personal information as noted below must be collected.

General information: (1) Last Name; (2) First Name; (3) Middle Initial; (4) Nickname; (5) Title/Degree; (6) Position/Job Title; (7) Skill Classification; (8) Administrative Level; (9) Organization Code; (10) Mail Code; (11) Telephone Extension; (12) Alternate Telephone Extension; (13) Building; (14) Room; (15) Use of Office Space; (16) Shift Worked; (17) Off-Site Telephone Number; (18) Off-Site Location; (19) Contract Number; (20) Authorization Type if Non-Contractor/Civil Servant; (21) and (22) Acronym of Contractor and/or Host Organization; and (23) Goddard Identification Number.

Personal information: (1) Social Security Number; (2) Birth Date; (3) Sex; (4) Citizenship; (5) If Not U.S. Citizen, Immigration Alien Number; (6) Street Residence; (7) City Residence; (8) County Residence; (9) State Residence; (10) Zip Code Residence; (11) Residence Telephone; (12) Name of Emergency Contact; (13) Relationship of Emergency Contact; (14) Telephone Number of Emergency Contact; and (15) Address of Emergency Contact.

Authority for maintenance of the system:

5 U.S.C. 301; 42 U.S.C. 2473; 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The intended official uses of the privacy and personal information are: To assist the Security Office in issuing picture badge identifications and coordinating clearance requests; to establish for the Library an authorization for use of its printed materials; to identify the listed emergency contact in case of an emergency to a center employee or guest worker; and to provide a home address in case an employee or guest worker must be contacted during off hours or for official mailings to a home address.

Other official uses of the general (non-privacy/personal) records are: To locate individuals working for or at the Goddard Space Flight Center; to improve services provided to the center including mailroom operations, space utilization, identification of potentially hazardous work environments, scheduling of annual physical examinations, and maintenance of electronic mail user identification names; and as a tool for performing short-and long-term institutional planning.

The information contained in this system of records is used by officials and employees within NASA for preview, planning, review, and management decisions regarding personnel and institutional services related to the records.

In addition to the internal uses of the information contained in this system of records the following are routine uses outside of NASA: (1) Disclosures may be made to organizations or individuals having contract, legal, administrative, or cooperative relationships with NASA, including labor unions, academic organizations, governmental organizations, non-profit organizations, and contractors; and to organizations or individuals seeking or having available a service or other benefit or advantage. The purpose of such disclosures is to satisfy a need or needs, further cooperative relationships, offer information, or respond to a request; (2) Statistical or data presentations may be made to governmental or other organizations or individuals having need of information about individuals in the records; (3) Disclosure may be made to a Congressional office from the record of an individual in response to written inquiry from the Congressional office made at the request of that individual; and (4) Standard routine uses 1 through 4 inclusive as set forth in Appendix B may also apply.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

A single copy of each record is maintained in file folders. The records are also stored on computer storage discs and tapes hardware and ADABASE/Natural software.

Retrievability:

General fields are indexed by any one or combination of choices to authorized users. Personal fields are not retrievable except by designees in the Security and Library Offices and the System Manager. For the Library the retrievability is for Social Security Number, Immigration Alien Number, and Name only.

Safeguards:

Records are protected in accordance with the requirements and procedures which appear in the NASA regulations at 14 CFR Part 1212 and through the password and access protections built into the data base management software system.

Retention and disposal:

Records are retained for varying periods of time depending on the need for use of the files, and are destroyed or otherwise disposed of when no longer needed.

System manager(s) and address:

Head, Administrative Support Branch, Code 231.0, Logistics Management Division, Goddard Space Flight Center, Greenbelt, MD 20771.

Notification procedure:

Apply to the System Manager at the appropriate location above. In addition to personal identification (name, social security number, etc.) indicate the specific type of record, the appropriate date or period of time, and the specific kind of individual applying (current employee, former employee, civil servant, contractor, etc.).

Record access procedures:

Same as notification procedures above.

Contesting record procedures:

The NASA regulations pertaining to access to records and for contesting contents and appealing initial determinations by the individual concerned are set forth in 14 CFR Part 1212.

Record source categories:

Individuals to whom the records pertain.

NASA 51RSCR

System name:

GSFC Radiation Safety Committee Records - NASA.

System location:

Goddard Space Flight Center, National Aeronautics and Space Administration, Greenbelt, Maryland 20771.

Categories of individuals covered by the system:

Radiation users and custodians under GSFC cognizance.

Categories of records in the system:

Employment and training history.

Authority for maintenance of the system:

42 U.S.C. 2473; 44 U.S.C. 3101; USNRC License and GHB 1860.1, 'Radiation Safety Handbook'; GHB 1860.2 'Radiation Safety Radio-Frequency'; GHB 1860.3 'Radiation Safety Laser'.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information contained in this system of records is used within NASA for review and approval of custodians and users of ionizing and non-ionizing radiation by the Radiation Safety Committee. In addition to the internal uses of the information contained in this system of records, the following are routine uses outside NASA: (1) The Nuclear Regulatory Commission (formerly Atomic Energy Commission) may inspect records pursuant to fulfilling their responsibilities in administering and issuing licenses to use radiation sources; (2) Occupational Safety and Health Administration (Federal and State) may inspect records pursuant to fulfilling their responsibilities under the Occupational Safety and Health laws. (3) The Environmental Protection Agency may inspect records pursuant to fulfilling their responsibilities under the Environmental Protection laws and executive order; (4) The Food and Drug Administration may inspect records pursuant to fulfilling their responsibilities respecting use of lasers and x-rays; (5) Standard routine uses 1 through 4 inclusive as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by name only.

Safeguards:

Records are located in locked metal file cabinet in locked room with access limited to those whose official duties require access.

Retention and disposal:

Records are kept for 2 years. If employee does not wish to be renewed for position at the end of 2-year period, the record is removed and placed in inactive file.

System manager(s) and address:

Chief, Health, Safety, and Security Office; address same as shown for system location.

Notification procedure:

Individuals may obtain information from the system manager.

Record access procedures:

Same as above.

Contesting record procedures:

The NASA regulations for access to records and for contesting contents and appealing initial determinations by the individual concerned appear at 14 CFR Part 1212.

Record source categories:

Employees.

NASA 53BHTR

System name:

Wallops Flight Facility Base Housing Tenant Record - NASA.

System location:

Wallops Flight Facility, National Aeronautics and Space Administration, Wallops Island, Virginia 23337.

Categories of individuals covered by the system:

Tenants of Wallops Housing area.

Categories of records in the system:

Housing Rental Agreements, records of rent receipts and records of dormitory occupants.

Authority for maintenance of the system:

42 U.S.C. 2473 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information contained in this system of records is used within NASA for control of family housing and dormitory facilities. In addition to the internal uses of the information contained in this system of records, the following are routine uses outside NASA: (1) To furnish to a third party a verification of an employee's tenant status upon a written request of tenant; (2) To furnish verification of residency to various Federal, State, and local authorities; and (3) Standard routine uses 1 through 4 inclusive as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and card files.

Retrievability:

Records are indexed by name and/or room number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Records are protected in accordance with the requirements and procedures which appear in the NASA regulations at 14 CFR Part 1212.

Retention and disposal:

Records are retained and destroyed in accordance with the policies and procedures outlined in NASA Records Disposition Handbook, NHB 1441.1A.

System manager(s) and address:

Head, Wallops Facilities Engineering Branch, Code 273 address same as shown for System Location.

Notification procedure:

Individuals may obtain information from the System Manager.

Record access procedures:

Same as above.

Contesting record procedures:

The NASA regulations for access to records and for contesting contents and initial determinations by the individual concerned appear at 14 CFR Part 1212.

Record source categories:

Tenants and dormitory occupants and Administrative Management records.

NASA 72XOPR

System name:

JSC Exchange Activities Records - NASA.

System location:

Lyndon B. Johnson Space Center, National Aeronautics and Space Administration, Houston, Texas 77058.

Categories of individuals covered by the system:

Employees and past employees of JSC Exchange Operations, applicants under the JSC Exchange Scholarship Program, and JSC employees or JSC contractor employees participating in sports or special activities sponsored by the Exchange.

Categories of records in the system:

For present and past employees of the JSC Exchange Operations, the system includes a variety of records relating to personnel actions and determinations made about an individual while employed by the NASA Exchange-JSC. These records contain information about an individual relating to birth date; social security number; home address and telephone number; marital status; references; veteran preference, tenure, handicap; position description, past and present salaries, payroll deductions, leave; letters of commendation and reprimand; adverse actions, charges and decisions on charges; notice of reduction-in-force; personnel actions, including but not limited to, appointment, reassignment, demotion, detail, promotion, transfer and separation; minority group; records relating to life insurance, health and retirement benefits; designation of beneficiary, training; performance ratings; physical examinations; criminal matters; data documenting the reasons for personnel actions or decisions made about an individual; awards; and other information relating to the status of the individual.

For successful applicants under the JSC Exchange Scholarship Program, the system contains information supplied by individual center employees who have applied for an Exchange Scholarship for their son or daughter and includes, but is not limited to, education, financial transactions or holdings, employment history, medical data and other related information.

For participants in social or sports activities sponsored by the Exchange, information includes employees' or contractors' employee identification number, organization, location, telephone number, and other information directly related to status or interest in participation in such activities.

Authority for maintenance of the system:

42 U.S.C. 2473; 44 U.S.C. 3101; NASA Management Instruction 9050.6; Treasury Fiscal Requirement Manual, Part III, Payroll Deductions and Withholdings; Federal Personnel Manual; JSCM 31712A, Exchange Activities Manual, dated May 1980.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information contained in this system of records is used within NASA for the following purposes: (1) With respect to past or present employees of the JSC Exchange Operations, information in the system is used to: (a) Pay employees and advise employees through Leave and Earnings Statements, (b) provide for promotion opportunities, disciplinary actions, staffing controls, budget requirements, employee fringe benefits, and other related personnel managerial purposes, and (c) submit reports in accordance with legal or policy directives and regulations to center management and NASA Headquarters; (2) With respect to successful applicants under the JSC Scholarship Program, the information in the system is used to award scholarships to the sons and daughters of NASA-JSC employees; and (3) With respect to participants in the social or sports activities sponsored by the Exchange, the information maintained in the system is used to facilitate participation in such activities.

In addition to the internal uses of the information contained in this system of records, the following are routine uses outside of NASA for information maintained on JSC Exchange Operations employees only: (1) Provide information in accordance with legal or policy directives and regulations to the Internal Revenue Service, Department of Labor, Department of Commerce, Texas State Government Agencies, labor unions; (2) Provide information to insurance carriers with regard to worker's compensation, health and accident, and retirement insurance coverages; (3) Provide employment or credit information to other parties as requested by a current or former employee of the JSC Exchange Operations; and (4) Standard routine uses 1 through 4 inclusive as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

For Exchange employees, records are maintained by name and filed as current or past employee. For Scholarship applicants, records are maintained by name. For participants in social or sports activities, records are maintained by name.

Safeguards:

Records are located in locked metal file cabinets with access limited to those whose official duties require access.

Retention and disposal:

For employees of JSC Exchange Operations, Personnel Records are retained indefinitely to satisfy payroll, reemployment, unemployment compensation, tax and employee retirement purposes.

For successful applicants under the JSC Exchange Scholarship Program, records are maintained until completion of awarded scholarship and then destroyed. Records pertaining to unsuccessful applicants are returned to them.

For participants in social or sports activities, records are maintained for a stated participation period, and are then destroyed.

System manager(s) and address:

Manager, Exchange Operations, NASA Exchange - JSC, address same as shown for System Location.

Notification procedure:

Individuals may obtain information from the System Manager.

Record access procedures:

Same as above.

Contesting record procedures:

The NASA regulations for access to records and for contesting contents and appealing initial determinations by the individual concerned appear in 14 CFR Part 1212.

Record source categories:

For employees of the JSC Exchange Operations, information is obtained from the individual employee, the employee references, insurance carriers, JSC Health Services Division, JSC Security, employment agencies, Texas Unemployment Commission, credit bureaus, and creditors.

With respect to the JSC Exchange Scholarship Program, the information is obtained from the parents or guardians of the scholarship participants.

For JSC employees and JSC contractor employees participating in social or sports activities sponsored by the Exchange, information is obtained from the individual participant.

NASA 73FHAP

System name:

WSTF Federal Housing Administration (FHA) 809 Housing Program - NASA.

System location:

JSC White Sands Test Facility, National Aeronautics and Space Administration, P. O. Drawer MM, Las Cruces, New Mexico 88004.

Categories of individuals covered by the system:

WSTF Civil Service and contractor personnel who have applied for FHA 809 housing.

Categories of records in the system:

Contains personal (name, home address, home phone, age, marital status), realtor/mortgage and employment data. Contains certification by employee, WSTF, and FHA.

Authority for maintenance of the system:

42 U.S.C. 2473; 44 U.S.C. 3101; and 12 U.S.C. 1748h-1 (Section 809, National Housing Act).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information contained in this system of records is used within NASA for identification of employees who have applied for and received or not received FHA 809 certificates. In addition to the internal uses of the information contained in this system of records, the following are routine uses outside of NASA: (1) Disclosures to the Federal Housing Administration to facilitate their issuing or denying 809 housing certificates; (2) Disclosures to realtors and builders to facilitate their activities with respect to the real estate transaction; and (3) Standard routine uses 1 through 4 inclusive as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and index cards.

Retrievability:

Records are indexed by certificate number and person's name.

Safeguards:

Records are located in locked metal file cabinets or in metal file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal:

Certificates are held for 5 years after issuance and then destroyed by shredding. Index cards are held indefinitely in order that an employee will not be authorized more than one certificate.

System manager(s) and address:

Chief, Administration Office, address same as shown for System Location.

Notification procedure:

Individuals may obtain information from the System Manager.

Record access procedures:

Same as above.

Contesting record procedures:

The NASA regulations for access to records and for contesting contents and appealing initial determinations by the individual concerned appear at 14 CFR Part 1212.

Record source categories:

Individual on whom the record is maintained.

NASA 76RTES

System name:

KSC Radiation Training and Experience Summary - NASA.

System location:

John F. Kennedy Space Center, National Aeronautics and Space Administration, Kennedy Space Center, Florida 32899.

Categories of individuals covered by the system:

Custodians and/or users of sources radiation (ionizing and non-ionizing). Applicable to all users or custodians at KSC and NASA or NASA contractor personnel at Cape Canaveral Air Force Station, Florida, or Vandenberg Air Force Base, California.

Categories of records in the system:

Individuals name and radiation related training and experience.

Authority for maintenance of the system:

42 U.S.C. 2473; 44 U.S.C. 3101; 42 U.S.C. 2021, 2111, 2201, 2232, 2233, 10 CFR Part 33 for Federal Licensee, and Florida Administrative Code, Chapter 10 D-56 for State Licensee.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information contained in this system of records is used within NASA to determine the suitability of individuals for specific assignments dealing with radiation and to preclude unnecessary exposure to self and others.

In addition to the internal uses of the information contained in this system of records, routine uses outside of NASA include: (1) Disclosure to Air Force Radiation Protection Officers at Eastern Space and Missile Center, Patrick Air Force Base, Florida, and Vandenberg Air Force Base, California, to governmental and private license holders, and to NASA contractors using sources of radiation to facilitate protection of the individual and the public; (2) Standard routine uses 1 through 4 inclusive as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Duplicate copies of the records are maintained for Kennedy Space Center by EG & G Florida, Inc., Occupational Medicine and Environmental Health Services. All records maintained by the KSC Biomedical Office or EG & G Florida, Inc., consist of 8 1/2 x 11 inch paper files.

Retrievability:

Records are indexed by name, program/project title. Use authorization number and/or license number as applicable.

Safeguards:

Records are personally supervised during the day and locked in the office at night. Records are protected in accordance with the requirements and procedures which appear in the applicable NASA regulations at 14 CFR Part 1212.

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

KSC Radiation Protection Officer; address same as shown for System Location.

Notification procedure:

Individuals may obtain information from the system manager.

Record access procedures:

Same as above.

Contesting record procedures:

The NASA regulations for access to records and for contesting contents and appealing initial determinations by the individual concerned appear at 14 CFR Part 1212.

Record source categories:

Individual is sole source.

NASA 76STCS

System name:

KSC Shuttle Training Certification System (YC 04).

System location:

John F. Kennedy Space Center Systems Training and Employee Development Branch, Kennedy Space Center, FL 32899.

Categories of individuals covered by the system:

KSC Civil Service, KSC contractor, and DOD personnel who have received systems, skills, or safety training in support of KSC or Space Shuttle Operations.

Categories of records in the system:

Records of training attendance and certifications, including certifications of physical ability to perform hazardous tasks.

Authority for maintenance of the system:

42 U.S.C. 2473, 44 U.S.C. 3101

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information contained in this system of records is used within NASA to determine training needs, and the operational readiness of the work force, to provide data for badging and access control to hazardous areas or critical operations, to determine the size of individual protective equipment and to identify personnel with needed skill combinations. In addition to the internal uses the information contained in this systems of records, the following are routine uses outside of NASA: (1) Disclosure is made of information on employees of KSC contractors to those contractor organizations and to EG & G Florida, Inc., to facilitate the performance of the contracts. EG & G Florida, Inc., compiles these training records for KSC; (2) Standard routine uses 1-4 inclusive as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained for KSC by EG & G Florida, Inc., on computer tape with printouts made periodically as required. Complete printouts are filed in the KSC Systems Training and Employee Development Branch, and the EG & G Florida, Inc., training office. Records containing raw data on course attendance and trainee statistics are maintained by EG & G Florida, Inc., for KSC.

Retrievability:

Indexed by name, organization, and skill.

Safeguards:

These listings are automated systems, skills, and safety training records maintained under administrative control of responsible organizations in areas that are locked when not in use. Records are protected in accordance with the requirements and procedures which appear in the NASA regulations at 14 CFR Part 1212.

Retention and disposal:

Outdated records are destroyed.

System manager(s) and address:

Chief, Systems Training and Employee Development Branch, NASA Kennedy Space Center, FL 32899

Notification procedure:

Individuals may obtain information from the Systems Manager.

Record access procedures:

Same as above.

Contesting record procedures:

The NASA regulations for access to records and for contesting contents and for appealing initial determinations by the individual concerned appear at 14 CFR Part 1212.

Record source categories:

Information is obtained from class rosters, operational records, reports of physical examination completions and actions of certification boards.

NASA 76XRAD

System name:

KSC USNRC Occupational External Radiation Exposure History for Nuclear Regulatory Commission Licenses - NASA.

System location:

John F. Kennedy Space Center, National Aeronautics and Space Administration, Kennedy Space Center, Florida 32899.

Categories of individuals covered by the system:

KSC civil servants and KSC contractor personnel who have received radiation exposure.

Categories of records in the system:

Name, date of birth, exposure history, name of license holder, social security number.

Authority for maintenance of the system:

42 U.S.C. 2473; 44 U.S.C. 3101; 42 U.S.C. 2021, 2073, 2093, 2095, 2111, 2133, 2134, and 2201; 10 CFR Part 20 for Federal Licensee; and Florida Administrative Code, Chapter 10 D-56 for State Licensee.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information contained in this system of records is used within NASA to record exposure and to inform individuals of their approaching or exceeding radiation dose limits.

In addition to the internal uses of the information contained in this system of records the following are routine uses outside of NASA: (1) Disclosure to Air Force Radiation Protection Offices at Eastern Space and Missile Center, Patrick Air Force Base, Florida and Vandenberg Air Force Base, California, to governmental and private license holders, and to NASA contractors using radioactive materials or ionizing radiation producing devices, to facilitate the protection of individuals; (2) Standard routine uses 1 through 4 inclusive as set forth in Appendix B.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Duplicate copies of the records are maintained for Kennedy Space Center by EG & G Florida, Inc., Occupational Medicine and Environmental Health Services. All records maintained by the KSC Biomedical Office or EG & G Florida, Inc., consist of 8 1/2 x 11 inch paper files.

Retrievability:

Records are indexed by name in personnel dosimetry files.

Safeguards:

Records are personally supervised during the day and locked in the office at night. Records are protected in accordance with the requirements and procedures which appear in the NASA regulations at 14 CFR Part 1212.

Retention and disposal:

Records are maintained indefinitely.

System manager(s) and address:

KSC Radiation Protection Officer; address same as shown for System Location.

Notification procedure:

Individuals may obtain information from the System Manager.

Record access procedures:

Same as above.

Contesting record procedures:

The NASA regulations for access to records and for contesting contents and appealing initial determinations by the individual concerned appear at 14 CFR Part 1212.

Record source categories:

Individual is sole source.

Appendix A—Location Numbers and Mailing Addresses of NASA Installations at Which Records Are Located

Location 1
National Aeronautics and Space Administration
Washington, DC 20546

Location 2
Ames Research Center
National Aeronautics and Space Administration
Moffett Field, CA 94035

Location 3
Dryden Flight Research Facility
National Aeronautics and Space Administration
P. O. Box 273
Edwards, CA 93523

Location 4
Goddard Space Flight Center
National Aeronautics and Space Administration
Greenbelt, MD 20771

Location 5
Lyndon B. Johnson Space Center
National Aeronautics and Space Administration
Houston, TX 77058

Location 6
John F. Kennedy Space Center
National Aeronautics and Space Administration
Kennedy Space Center, FL 32899

Location 7
Langley Research Center
National Aeronautics and Space Administration
Langley Station
Hampton, VA 23665

Location 8
Lewis Research Center
National Aeronautics and Space Administration
21000 Brookpark Road
Cleveland, OH 44135

Location 9
George C. Marshall Space Flight Center
National Aeronautics and Space Administration
Marshall Space Flight Center, AL 35812

Location 10
NASA Resident Office-JPL
National Aeronautics and Space Administration
4800 Oak Grove Drive
Pasadena, CA 91103

Location 11
National Space Technology Laboratories
National Aeronautics and Space Administration
NSTL, Station, MS 39529

Location 12
JSC White Sands Test Facility
National Aeronautics and Space Administration
P.O. Drawer MM
Las Cruces, NM 88004

Location 13
LeRC Plum Brook Station
National Aeronautics and Space Administration
Sandusky, OH 44870

Location 14
Michoud Assembly Facility
National Aeronautics and Space Administration
P.O. Box 29300
New Orleans, LA 70129

Appendix B—Standard Routine Uses—NASA

The following routine uses of information contained in systems of records subject to the Privacy Act of 1974 are standard for many NASA systems. They are cited by reference in the paragraph "Routine uses of records maintained in the system, including categories of users and the purpose of such uses" of the FEDERAL REGISTER notice on those systems to which they apply.

Standard Routine Use No. 1 - LAW ENFORCEMENT - In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

Standard Routine Use No. 2 - **DISCLOSURE WHEN REQUESTING INFORMATION** - A record from this system of records may be disclosed as a 'routine use' to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

Standard Routine Use No. 3 - **DISCLOSURE OF REQUESTED INFORMATION** - A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Standard Routine Use No. 4 - **COURT PROCEEDINGS** - In the event there is a pending court or formal administrative proceeding, any records which are relevant to the proceeding may be disclosed to the Department of Justice or other agency for purposes of representing the Government, or in the course of presenting evidence, or they may be produced to parties or counsel involved in the proceeding in the course of pre-trial discovery.

Title 14-Aeronautics and Space

Chapter V-NASA

PART 1212—PROTECTION OF PERSONAL PRIVACY

Subpart 1212.1—Basic Policy

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1212.101 Definitions.
1212.102 General policy.

Subpart 1212.2—Requirements for Maintaining Systems of Records

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1212.201 System of records of other agencies under NASA's control.
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1212.205 Social security account numbers.
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1212.501 Right of access.
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Subpart 1212.6—Corrections and Amendments to Records and Appeals

1212.600 Requests for correction or amendment of a record.
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1212.603 Action on appeals.
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1212.605 Time extensions for good cause shown.
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1212.608 Disclosure of disputed information.

Subpart 1212.7—Exemptions

1212.700 Exemptions.
1212.701 Systems of records for which exemptions apply.

Subpart 1212.8—Failure To Comply With Requirements of this Part

1212.800 Civil remedies.
1212.801 Criminal penalties.

Authority: The National Aeronautics and Space Act of 1958, as amended, 72 Stat. 429, 42 U.S.C. 2473; The Privacy Act of 1974, 88 Stat. 1896, 5 U.S.C. 552a.

Source: 44 FR 54994, Sept. 24, 1979, unless otherwise noted.

Subpart 1212.1—Basic Policy

§ 1212.100 Scope of part.

This Part 1212 implements the Privacy Act of 1974, as amended (5 U.S.C. 552a; referred to as "the Privacy Act"), and establishes the policies, responsibilities, and procedures for the collection, maintenance, use and dissemination by the National Aeronautics and Space Administration (NASA) of personal information contained in a NASA system of records. This part also establishes procedures for a subject individual to have access to and request correction of information in a record. This part applies to systems of records located at or under the cognizance of NASA Headquarters, NASA Field Installations, and NASA Component Installations, as defined in Part 1201.

§ 1212.101 Definitions.

For the purposes of this part, the following definitions shall apply in addition to definitions contained in the Privacy Act:

(a) The term "record" means any item, collection, or grouping of information about an individual including, but not limited to, education, financial transactions, medical history, and criminal or employment history, and that contains a name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph. With the exception of photographs, identifiers alone do not constitute a record.

(b) The term "system or records" means a group of any records from which information is retrieved by the name of the indivudual or by some identifying number, symbol or other identifying particular assigned to the individual.

(c) The term "system manager" means the NASA official who is responsible for a system of records as designated in the system notice of that system of records published in the **Federal Register**. When a system of records includes portions located at more than one NASA installation, the term "system manager" includes any subsystem manager designated in the system notice as being responsible for that portion of the system of records located at the respective installation.

(d) The term "routine use" means, with respect to the disclosure of a record, the use of the record for a purpose which is compatible with the purpose for which it was collected. Disclosure of a record to those officers and employees of NASA who have a need for the record in the performance of their duties shall not be regarded as a "routine use."

(e) The term "NASA employee" or "NASA official," particularly for the purpose of § 1212.400(b)(1) relating to the disclosure of a record to those who have a need for the record in the performance of their duties, includes employees of a NASA contractor which operates or maintains a NASA system of records for or on behalf of NASA.

(f) The term "NASA information center" refers to information centers established to facilitate public access to NASA records under Part 1206. See § 1206.401 for the address of each NASA information center.

§ 1212.102 General policy.

In compliance with the Privacy Act and in accordance with the requirements and procedures of this part, NASA has an obligation to:

(a) Permit an individual to determine whether there are records pertaining to the individual in a system of records maintained by NASA;

(b) Permit an individual to prevent records pertaining to the indivudual obtained by NASA and placed in a system of records for a particular purpose from being used or made available for another purpose without the individual's consent;

(c) Permit an individual to gain access to information about the individual in a NASA system of records, to have a copy made and, if appropriate under Subpart 1212.6, to correct or amend the records; and

(d) Maintain any record in a system of records only for a necessary and lawful purpose, assure that the information is current and accurate, and provide adequate safeguards to prevent misuse of the information.

Subpart 1212.2—Requirements for Maintaining Systems of Records

§ 1212.200 Publication of annual system notices.

(a) A system notice for each NASA system of records shall be published annually in the **Federal Register** in the format prescribed by the Office of Management and Budget and the General Services Administration.

(b) In accordance with reporting requirements issued by the Office of Management and Budget, NASA shall provide to Congress and the Office of Management and Budget advance notice of any proposal to establish or significantly alter any NASA system of records.

§ 1212.201 System of records of other agencies under NASA's control.

(a) The procedures concerning maintenance of and access to records of other agencies under NASA's control shall normally be governed by the regulations of the agency publishing the system notice for the particular system of records.

(b) Any system of records maintained by NASA which is in addition to or substantially different from those of a government-wide nature described in the notice published by another agency shall be regarded as a NASA system of records subject to the requirements of this part, and the NASA system notice shall include a reference to the system notice of the other agency.

§ 1212.202 Requirements for maintaining systems of records.

In maintaining systems of records, the following requirements shall be met:

(a) Maintain only information about an individual relevant and necessary to accomplish a purpose or to carry out a function of NASA authorized by law or by Executive Order of the President.

(b) Maintain records used by NASA officials in making any determination about any individual with such accuracy, relevance, timeliness, and completeness reasonably necessary to assure fairness to the individual in making the determination.

(c) Maintain no record describing how an individual exercises rights guaranteed by the First Amendment to the U.S. Constitution unless expressly authorized by statute or by the individual, or unless required by an authorized law enforcement activity.

§ 1212.203 Requirements for collecting information.

In collecting information for systems of records, the following requirements shall be met:

(a) Information shall be collected to the greatest extent practicable directly from the individual, particularly when the information may result in adverse determinations about the individual's rights, benefits, and privileges under Federal programs. Exceptions to this policy may be made under certain circumstances, such as one of the following:

(1) There is need to verify the accuracy of information supplied by an individual.

(2) The information can only be obtained from a third party.

(3) There is no risk that information collected from third parties, if inaccurate, could result in an adverse determination to the individual concerned.

(4) Provisions are made to verify with the individual information collected from a third party.

(b) Each individual who is asked to supply information shall be informed of the following:

(1) The authority (whether granted by statute, or by Executive Order of the President) for requesting the information;

(2) Whether disclosure is mandatory or voluntary;

(3) The intended official use of the information;

(4) The routine uses which may be made of the information, as published in the system notices;

(5) The effects on the individual, if any, of not providing all or any part of the requested information.

§ 1212.204 Mailing lists.

(a) NASA may maintain for official purposes lists of individuals, their addresses and telephone numbers, including, if appropriate, home addresses and telephone numbers. These lists are not NASA systems of records for the purposes of this part.

(b) NASA will not sell, rent or otherwise disclose mailing lists to anyone except for official purposes of NASA, unless otherwise required by law.

§ 1212.205 Social security account numbers.

(a) It is unlawful for NASA to deny an individual any right, benefit, or privilege provided by law because of the individual's refusal to disclose the individual's social security account number, except where:

(1) The disclosure is required by law; or

(2) The disclosure is from a system of records in existence and operating before January 1, 1975, and was required under statute or regulation adopted before that date to verify the identity of the individual.

(b) Any time an individual is requested to disclose the social security account number, the official requesting the disclosure shall indicate whether that disclosure is mandatory or voluntary, by what authority the number is requested, and what uses will be made of it.

§ 1212.206 Safeguarding information in systems of records.

(a) Safeguards appropriate for a NASA system of records shall be developed by the system manager in a written plan approved by the installation Security Officer.

(b) When records or copies of records are distributed to persons other than those having custody of the systems of records, they shall be prominently identified as records protected under the Privacy Act and shall be subject to the same safeguard, retention and disposition requirements applicable to the system of records.

(c) Records that are otherwise required by law to be released to the public need not be safeguarded or identified as Privacy Act records. The system notice shall indicate that the records are publicly available.

§ 1212.207 Duplicate copies of records or portions of records.

(a) NASA officials may maintain for official purposes duplicate copies of records or portions of records from a system of records for use within their organizational unit. This practice should occur only where there are justifiable organizational needs for it, e.g., where geographic distances make use of the system of records time consuming or inconvenient. These duplicate copies shall not be considered a separate NASA system of records. For example, an office head or designee may keep duplicate copies of personnel, training, or similar records on employees within the organization for administrative convenience purposes.

(b) No disclosure shall be made from duplicate copies outside of the organizational unit. Any outside request for disclosure shall be referred to the appropriate system manager for response.

(c) Duplicate copies are subject to the same safeguard requirements applicable to the system of records.

Subpart 1212.3—Authority and Responsibilities

§ 1212.300 NASA employees.

(a) Each NASA employee is reponsible for adhering to the requirements of the Privacy Act and this part.

(b) An employee shall not seek or obtain access to a record in a NASA system of records or to copies of any portion of such records under false pretenses. Only those employees with an official "need to know" may seek and obtain access to records pertaining to others.

(c) Employees shall refrain from discussing or disclosing personal information about others which they have obtained because of their official need to know such information in the performance of official duties.

(d) To the extent included in an individual contract which provides for the maintenance by or on behalf of NASA of a system of records to accomplish a function of NASA, the requirements of this section shall apply to contractor employees who work under the contract.

§ 1212.301 Associate Deputy Administrator.

The Associate Deputy Administrator is responsible for:

(a) Making final agency determinations on appeals (§ 1212.603);

(b) Authorizing exemptions § 1212.700); and

(c) Authorizing an extension of up to 30 work days for making a final determination on an appeal (§ 1212.605).

§ 1212.302 Associate Administrator for Management.

(a) The Associate Administrator for Management is responsible for the following:

(1) Providing overall supervision and coordination of NASA's policies and procedures under this part;

(2) Approving system notices for publication in the **Federal Register**;

(3) Assuring that NASA employees and officials are informed of their responsibilities and that they receive appropriate training for the implementation of these requirements; and

(4) Preparing and submitting the annual and special reports required under this part, including establishing appropriate reporting procedures.

(b)The Associate Administrator for Management may establish a position of 'NASA Privacy Officer' or designate someone to function as such an officer, reporting directly to the Associate Administrator for Management, and delegate to that officer any of the functions described in paragraph (a) of this section.

[44 FR 54994, Sept. 24, 1979, as amended at 47 FR 50467, Nov. 8, 1982]

§ 1212.303 Headquarters and field or component installations.

(a) Officials-in-Charge of Headquarters Offices, Directors of NASA Field Installations and Officials-in-Charge of Component Installations are responsible for the following with respect to those systems of records maintained in the organization:

(1) Avoiding the establishment of new systems of records or new routine uses of a system of records without first complying with the requirements of this part;

(2) Ensuring that the requirements of this part and the Privacy Act are followed by all employees;

(3) Ensuring that there is appropriate coordination within NASA before a determination is made to disclose information without the individual's consent under authority of § 1212.400(b); and

(4) Providing appropriate oversight for responsibilities and authorities exercised by system managers under their jurisdiction (§ 1212.304).

(b)Directors of NASA Field Installations and Officials-in-Charge of Component Installations Privacy Officer or designate someone to function as such to assist in carrying out the responsibilities listed in paragraph (a) of this section.

[44 FR 54994, Sept. 24, 1979, as amended at 47 FR 50467, Nov. 8, 1982]

§ 1212.304 System manager.

(a) Each system manager is responsible for the following with regard to the system of records over which the system manager has congnizance:

(1) Overall compliance with the Privacy Act and these regulations.

(2) Ensuring that each person involved in the design, development, operation or maintenance of the system of records is instructed with respect to the requirements of this part and the possible penalties for noncompliance;

(3) Submitting a request to the Associate Deputy Administrator for an exemption of the system under Subpart 1212.7, setting forth in proposed rulemaking form the reasons for the exemption and citing the specific provision of the Privacy Act which is believed to authorize the exemption;

(4) After consultation with the Office of the General Counsel or the Chief Counsel, making reasonable efforts to serve notice on an individual when any record on such individual is made available to any person under compulsory legal process when such process becomes a matter of public record;

(5) In accordance with the requirements of § 1212.601, making an initial determination on an individual's request to correct or amend a record;

(6) Prior to disclosure of any record about an individual, assuring that the record is first reviewed for accuracy, completeness, timeliness and relevance;

(7) Authorizing disclosures of a record without the individual's consent under § 1212.400(b)(1) through (11);

(8) Responding within the requirements of § 1212.500 to an individual's request for information as to whether the system contains a record pertaining to the individual;

(9) In accordance with the requirements of Subpart 1212.5, responding to an individual's request for access and copying of a record;

(10) Correcting a record under § 1212.606, or filing in an individual's record a statement of dispute and the NASA addendum submitted in accordance with § 1212.607;

(11) Preparing an addendum to an individual's statement of dispute (§ 1212.607);

(12) Maintaining disclosure accountings in accordance with the requirements of § 1212.401;

(13) Notifying persons to whom a record has been disclosed and for which an accounting was made as to disputes and corrections involving the record; and

(14) Developing appropriate safeguards for the system of records.

(b)Where a system of records has subsystems described in the system notice, the subsystem manager will have the responsibilities outlined in paragraph (a) of this section. Although the system manager has no line authority over subsystem managers, the system manager does have overall functional responsibility for the total system, and may issue guidance to subsystem managers on implementation of this part. When furnishing information for required reports, the system manager will be responsible for reporting the entire system of records, including any subsystems.

(c)Exercise of the responsibilities and authorities in paragraph (a) of this section by any system or subsystem managers at a NASA installation shall be subject to any conditions or limitations imposed in accordance with § 1212.303(a)(4) and(b).

[44 FR 54994,Sept. 24, 1979, as amended by 47 FR 50467, Nov. 8, 1982]

§ 1212.305 Assistant Administrator for Procurement.

The Assistant Administrator for Procurement is responsible for developing appropriate procurement regulations and procedures under which NASA contracts requiring the maintenance of a system or records in order to accomplish an agency function are made subject to the requirements of this part.

[47 FR 50467, Nov. 8, 1982]

§ 1212.306 Delegation of authority.

Authority necessary to carry out the responsibilities specified in this Subpart 1212.3 is delegated to the officials named, subject to any conditions or limitations imposed in accordance with § 1212.303 (a)(4) and (b).

Subpart 1212.4—Disclosure of Records

§ 1212.400 Restrictions on disclosure.

(a) No record in a NASA system of records shall be disclosed to any person, or to another agency, except by written request of, or with the prior written consent of the individual to whom the record pertains, unless the disclosure is authorized by paragraph (b) of this section.

(b) Under 5 U.S.C. 552a(b), disclosure of a record in a NASA system of records is authorized without the consent of the subject individual, if the disclosure of the record would be:

(1) To an officer or employee of NASA who has a need for the record in the performance of official duties;

(2) Required under the Freedom of Information Act (5 U.S.C. 552) and Part 1206;

(3) For a routine use described in the system notice for the system of records;

(4) To the Bureau of Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of Title 13, United States Code;

(5) To a recipient who has provided NASA with adequate advance written assurance that the record will be used solely as a statistical record, and the record is transferred in a form that is not individually identifiable;

(6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services Administration or a designee to determine whether the record has such value;

(7) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity, if the activity is authorized by law and if the head of the agency or instrumentality has made a written request to NASA specifying the particular portion desired and the law enforcement activity for which the record is sought;

(8) To a person on a showing of compelling circumstances affecting the health or safety of an individual if notification of the disclosure is sent to the last known address of the subject individual;

(9) To either House of Congress or, to the extent the matter is within its jurisdiction, any committee or subcommittee of Congress, any joint committee of Congress or subcommittee of any such joint committee;

(10) To the Comptroller General, or any authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(11) By order of a court of competent jurisdiction.

§ 1212.401 Accounting of certain disclosures.

(a) The system manager shall keep a disclosure accounting for each disclosure to a third party of a record from a system of records. Disclosure accountings are not required but are recommended for disclosures made:

(1) With the subject individual's consent, or

(2) Under the authority of § 1212.400(b) (1) or (2).

(b) The disclosure accounting required by paragraph (a) shall include:

(1) The date, nature, and purpose of the disclosure; and

(2) The name and address of the recipient person or agency.

(c) The disclosure accounting shall be retained for at least five years after the disclosure or for the life of the record, whichever is longer.

(d) The disclosure accounting maintained under the requirements of this section is not itself a system of records.

[44 FR 54994, Sept. 24, 1979, as amended by 47 FR 50467, Nov. 8, 1982]

§ 1212.402 Access to disclosure accounting.

Except for disclosures made under the authority of § 1212.400(b)(7) or where the system is exempt (see Subpart 1212.7), the disclosure accounting required under § 1212.401 shall be made available to the subject individual upon request in accordance with Subpart 1212.5

§ 1212.403 Review of records for accuracy.

Before disclosing any record about an individual to any person other than a NASA employee, unless the disclosure is required under the Freedom of Information Act (see § 1212.400(b)(2)), NASA shall make reasonable efforts to assure that the record is accurate, complete, timely and relevant for NASA purposes.

§ 1212.404 Notification of disclosure under compulsory legal process.

If a record is disclosed to any person under a compulsory legal process, the NASA system manager, after consultation with the Office of the General Counsel or the Chief Counsel, shall make reasonable efforts to serve notice on the subject individual when the compulsory process becomes a matter of public record. The mailing of notice to the individual's last known address constitutes a reasonable effort to notify the individual.

§ 1212.405 Notification to prior recipients of corrected or disputed records.

If any correction or statement of dispute is made or filed in a record under Subpart 1212.6, the NASA system manager shall notify each person or agency to whom that portion of the record had been disclosed, if an accounting of the disclosure exists under § 1212.401, as to the correction or statement of dispute.

Subpart 1212.5—Access to Records

§ 1212.500 Requests for access or general information.

(a) The procedures outlined in this Subpart 1212.5 apply to the following types of requests under the Privacy Act made by individuals concerning records about themselves:

(1) To determine if information on the requester is included in a system of records;

(2) For access to a record; and

(3) For an accounting of disclosures.

(b)(1) Requests must be directed to the appropriate system manager, or, if unknown, to the NASA information center. The request should be identified clearly on the envelope and on the letter as a "Request Under the Privacy Act."

(2) If known, requests should contain the following information to insure timely processing:

(i) Name and address of subject.

(ii) Identity of the system of records.

(iii) Nature of the request. If a request for amendment, a complete and comprehensive description of the amendment.

(iv) Identifying information such as location of the record, if known, full name, birth date, etc., as specified in the applicable system notice to assist in identifying the request.

(c)(1) If a request for access or amendment is received by the information center, it will record the date of receipt and immediately forward the request to the responsible system manager for handling.

(2) The NASA information center or the system manager, as appropriate, will acknowledge receipt of the request by NASA within 10 work days. If the request is so incomplete or incomprehensible that the requested record cannot be identified, additional information or clarification will be requested in the acknowledgment, and assistance to the individual will be offered as appropriate. If the request is sufficient for processing, the acknowledgment shall identify the responsible system manager.

(d) NASA need not comply with a general request for access to information concerning an individual, e.g., a request to provide copies of "all information contained in your files concerning me," although a good faith effort will be made to locate records if there is reason to believe NASA has records on the individual.

(e) Copies of all current NASA system notices, as well as a copy of these regulations, shall be maintained for public inspection in each NASA information center. An individual may address any general inquiries concerning NASA systems of records and these regulations to the appropriate NASA information center.

§ 1212.501 Right of access.

(a) Upon request in person, and following the identification procedures of § 1212.502, a subject individual and any accompanying representative shall be granted access to his or her record, including the right to request copies, unless the system of records has been determined to be exempt from this requirement under 5 U.S.C. 552a (j) or (k).

(b)(1) Upon a written request of the subject individual, the individual's representative shall be granted access to the subject's record, unless that system of records has been determined to be exempt under 5 U.S.C. 552a (j) or (k). The representative also may request copies of all or a portion of the record.

(2) A written request to allow access by a representative shall be signed by the subject individual and contain his or her address as well as the name and address of the representative being authorized access. The identities of both the subject individual and the representative must be verified following the procedures of § 1212.502.

(c) When an individual submits a request for records citing both the Privacy Act and the Freedom of Information Act, it shall be processed under Part 1206 if the individual is seeking records pertaining to a third party. If the individual is seeking his or her own records, the request shall be processed under this part. If the records requested are required to be released under the Freedom of Information Act (5 U.S.C. 552(b)), then a Privacy Act exemption may not be invoked to deny access. NASA shall not rely on any exemption contained in the Freedom of Information Act to withhold from an individual any record which is otherwise accessible to the individual under this part.

§ 1212.502 Identification procedures.

(a) Before a copy of a record is sent by mail in response to a written request for access, there must be sufficient evidence to assure that the requester and the subject of the record are the same. NASA reserves the right, at the discretion of the system manager, to require that a certificate of a notary public or equivalent official empowered to administer oaths accompany the request.

(b)(1) Before granting access to records in person, the requester or representative shall present appropriate and satisfactory identification, including:

(i) A valid unexpired driver's permit; or

(ii) An official employment identification card or badge; or

(iii) Any other form of identification which includes the individual's name, signature, or photograph or physical description.

(2) If the individual has no suitable identification, a written statement shall be required asserting the individual's identity and stipulating that the individual understands that knowingly or willfully seeking or obtaining access to records about another individual under false pretenses is a misdemeanor and punishable by a fine of up to $5,000. A form will be provided by the system manager for this purpose.

(c) No verification of identity will be requested of individuals seeking access to records available to any member of the public under the Freedom of Information Act (5 U.S.C. 552) and Part 1206.

(d) Identity procedures more stringent than those required in this section may be prescribed by the system manager in the system notice when the records are medical or other highly sensitive records.

§ 1212.503 Fee schedule.

(a)*Prohibition against charging fees.*Individuals will not be charged for:

(1)Search for or retrieval of the requesting individual's records;

(2)Review of the requesting individual's records;

(3)Making a copy of a requesting individual's record when it is a necessary part of the process of making the record available for review;

(4)Transportation of the requesting individual's record;

(5)Making a copy of an amended record to provide the requesting individual with evidence of the amendment.

(b)*Waiver.*The system manager may, at no charge, provide copies of a record if it is determined the production of the copies are in the interest of the government.

(c)*Fee schedule and method of payment.*Fees will be charged as provide below, except as provided in paragraphs (a) and (b) of this section.

(1)Duplication of records—The system manager will follow the provisions of section 1206.700(a) in charging fees for duplication of records only.

(2)Where it is anticipated that duplication fees chargeable under this section will amount to more than $25.00, and the requester has not indicated in advance a willingness to pay fees as great as are anticipated, the requesting individual shall be notified of the amount of the anticipated fees before copies are made. The notification shall offer the requester the opportunity to confer with agency personnel ina manner which will reduce the fees, yet still meet the needs of the requester.

(3)Where the anticipated fee chargeable under this section exceeds $25.00, an advance deposit of part or all of the anticipated fee may be required.

[48 FR 12084, Mar. 23, 1983]

§ 1212.504 Procedures for responding to requests for access.

(a)(1) The system manager, in response to a request for access, shall:

(i) Notify the requester that there is no record on the individual in the system of records; or

(ii) Make the individual's record available for personal inspection in the presence of a NASA representative, or upon request, promptly provide copies of the record, subject to the fee requirements.

(2) Unless the system manager agrees to another location, personal inspection of the record shall be at the location of

the record as identified in the system notice.

(b) Normally, the system manager shall respond to a request for access within 10 work days of receipt of the request and the access shall be provided within 30 work days.

(c) The provisions of paragraph (a) do not apply where the record is subject to additional restrictions as specified in the system notice, or if it is exempt under 5 U.S.C. 552a (j) or (k) and is not otherwise required to be released under the Freedom of Information Act. Under these circumstances, the system manager shall notify the requester within 10 work days.

(d) In the event a request for access to a record is not granted within 30 work days of receipt of the request, the individual shall have the right to appeal. Such an appeal shall be filed and processed under the provisions of Subpart 1212.6. In any determination by a system manager denying an individual's request for access made under this section, the individual shall be informed in writing of:

(1) The reasons for the refusal; and

(2) The procedures to be followed to request a review of the refusal by the Associate Deputy Administrator, including the mailing address. (See § 1212.602)

§ 1212.505 Medical records.

Normally, an individual's medical record shall be disclosed to the individual, unless, in the judgment of the system manager, in consultation with a medical doctor, access to the record could have an adverse effect upon the individual. In this case, the system manager shall allow access to the record by a medical doctor designated in writing by the requesting individual. (See § 1212.501(b))

§ 1212.506 Test materials.

Test material and copies of certificates of eligibles and other lists of eligibles, the disclosure of which is proscribed by 5 CFR 294.501, shall be removed from an individual's record before granting access.

§ 1212.507 Release of records of deceased individuals.

Records of individuals who are deceased may be released to the executor or administrator of the individual's estate, or, if none, to the individual's next of kin, if the system manager has sufficient evidence to establish that the individual is deceased and if the identity procedures of § 1212.502 have been met by the representative.

Subpart 1212.6—Corrections and Amendments to Records and Appeals

§ 1212.600 Requests for correction or amendment of a record.

A subject individual may request that NASA correct or amend the individual's record. In making a request for correction, the individual must demonstrate why the correction is appropriate. Such a request shall be in writing, addressed to the appropriate system manager, and shall contain the following:

(a) A notation on the envelope and on the letter that it is a "Request for Amendment of Individual Record under the Privacy Act;"

(b) The name of the system of records;

(c) Any information necessary to retrieve the record, as specified in the system notice for the system of records;

(d) A description of that information in the record which is alleged to be incomplete or erroneous; and

(e)The reasons for requesting the change, together with any documentary evidence or material available to support the request.

§ 1212.601 Procedures and time limits for making initial determinations on requests to correct or amend.

(a) Within 10 work days of receipt by the system manager of an individual's request to correct or amend a record, the system manager shall provide the individual with a written determination or a written acknowledgement advising when a report of the action taken may be received.

(b) The system manager shall provide the individual with a written determination within 30 work days of receipt of the request unless unusual circumstances preclude completing action within that time. If the determination is to refuse to correct or amend the record as requested, the written determination shall explain the reasons for the refusal and inform the requester of the procedures to be followed to appeal the determination.

§ 1212.602 Procedures and time limits for appeals.

(a) A subject individual who (1) has requested amendment or correction of a record and has received an adverse initial determination, or (2) has been denied access to a record, or (3) has not been granted within 30 work days of receipt a request (See §1212.504), may appeal to the Associate Deputy Administrator.

(b) An appeal shall:

(1) Be in writing and addressed to the Associate Deputy Administrator, NASA, Washington, D.C. 20546;

(2) Be identified clearly on the envelope and in the letter as an "Appeal under the Privacy Act;"

(3) Include a copy of any pertinent documents; and

(4) State the reasons for the appeal.

(c) Appeals from adverse initial determinations or denials of access must be submitted within 30 calendar days of the date of receipt of the initial determination. Appeals involving failure to grant access may be submitted any time after the 30 work day period has expired (see § 1212.504).

§ 1212.603 Action on appeals.

(a) Except as provided in § 1212.607, a final determination on an appeal shall be made, and the requester notified, within 30 work days after its receipt.

(b) If a determination to deny access is upheld, the requester will be informed of the right to judicial review under 5 U.S.C. 552a(g).

(c) If a denial of a request to correct or amend a record is upheld, the final determination shall:

(1) Explain the basis for the denial;

(2) Include information as to how the requester goes about filing a statement of dispute under the procedures of § 1212.607; and

(3) Include a statement that the final determination is subject to judicial review under 5 U.S.C. 552a(g).

§ 1212.604 Procedures for appeal of adverse determinations involving records of other agencies.

If an individual disagrees with an adverse determination by NASA involving access to or amendment of records belonging to another agency, the individual may seek review of the determination under procedures prescribed by the other agency.

§ 1212.605 Time extensions for good cause shown.

(a) When good cause is shown, the time limits for making a final determination may be extended for up to 30 work days.

(b) If an extension of time under this section is granted, the individual shall be promptly notified in writing of the reasons and the date when a final determination will be sent.

§ 1212.606 Correction or amendment of record.

When any record is corrected or amended under the procedures of this Subpart 1212.6, the correction shall be made by the system manager clearly on the record itself and all inaccurate information shall be deleted and destroyed. The individual shall then be informed in writing that the correction has been made. If the inaccurate or incomplete portion of the record has previously been disclosed and an accounting of the disclosure exists in accordance with the requirements of § 1212.401, then the system manager shall notify those persons or agencies of the corrected or amended information, referencing the prior disclosures (see § 1212.405).

§ 1212.607 Statements of dispute.

(a) If on appeal, a refusal to correct or amend records is upheld, the individual may file a statement of dispute.

(b) A statement of dispute shall:

(1) Be in writing;

(2) Set forth reasons for the individual's disagreement with NASA's refusal to amend the record;

(3) Be concise;

(4) Be addressed to the system manager; and

(5) Be identified on the envelope and in the letter as a "Statement of Dispute under the Privacy Act."

(c) The system manager shall prepare and include an addendum to the statement explaining the basis for NASA's refusal to amend the disputed record. A copy of the addendum shall be provided to the individual.

(d) The system manager shall ensure that the statement of dispute and addendum are either filed with the disputed record or that a notation appears in the record clearly referencing the statement of dispute and addendum so that they may be readily retrieved.

§ 1212.608 Disclosure of disputed information.

(a) The system manager shall promptly provide persons or agencies to whom the disputed portion of a record was previously disclosed and for which an accounting of the disclosure exists under the requirements of § 1212.401, with a copy of the statement of dispute and addendum, along with a statement referencing the prior disclosure (see § 1212.405). The subject individual shall be notified as to those individuals or agencies which are provided with the statement of dispute and addendum.

(b) Any subsequent disclosure of a disputed record shall clearly note the portion of the record which is disputed and shall be accompanied by a copy of the statement of dispute and addendum.

Subpart 1212.7—Exemptions

§ 1212.700 Exemptions.

(a) Under the provisions of 5 U.S.C. 552a(j) and (k), the Administrator of NASA is authorized to exempt certain NASA systems from portions of the requirements of this part.

(b) For those NASA systems of records that are determined to be exempt, the system notice shall describe the exemption and the reasons.

(c) Nothing in this part shall allow an individual access to any information compiled by NASA in reasonable anticipation of a civil action or proceeding.

§ 1212.701 Systems of records for which exemptions apply.

Exemptions have been invoked, in accordance with § 1212.700, for the following NASA systems of records:

(a) *Inspector General Investigations Case files*—(1) *Section of the Act from which exempted.* The Inspector General Investigations Case Files system of records is exempt from all sections of the Privacy Act (5 U.S.C. 552a) *except* the following: (b) relating to conditions of disclosure; (c)(1) and (2) relating to keeping and maintaining a disclosure accounting; (e)(4)(A) through (F) relating to publishing an annual system notice setting forth name, location, categories of individuals and records, routine uses, and policies regarding storage, retrievability, access controls, retention and disposal of the records; (e)(6), (7), (9), (10) and (11) relating to criminal penalties.

(2) *Reasons for exemption.* The determination to exempt this system of records has been made by the Administrator of NASA in accordance with 5 U.S.C. 552a(j) and this subpart for the reason that the Office of Inspector General is a component of NASA which performs as its principal function activity pertaining to the enforcement of criminal laws, within the meaning of 5 U.S.C. 552a(j)(2).

(b) *Security Records System*—(1) *Sections of Act from which exempted.* The Security Records System is exempt from the following sections of the Privacy Act (5 U.S.C. 552a): (c)(3) relating to access to the disclosure accounting; (d) relating to access to the records; (e)(1) relating to the type of information maintained in the records; (e)(4)(G), (H) and (I) relating to publishing in the annual system notice information as to agency procedures for access and correction, and information as to the categories of sources of records; and (f) relating to developing agency rules for gaining access and making corrections.

(2) *Reasons for exemption.* The determination to exempt this system of records has been made by the Administrator of NASA in accordance with 5 U.S.C. 552a(k) and this Subpart 1212.7 for the following reasons:

(i) Personnel Security Records contained in the system of records which are compiled solely for the purpose of determining suitability, eligibility or qualifications for Federal civilian employment, Federal contracts, or access to classified information are exempt under the provisions of 5 U.S.C. 552a(k)(5), but only to the extent that the disclosure of such material would reveal the identity of a confidential source.

(ii) Criminal Matter Records are contained in the system of records and are exempt under the provisions of 5 U.S.C. 552a(k)(2) to the extent they constitute investigatory material compiled for law enforcement purposes.

(iii) The system of records includes records subject to the provisions of 5 U.S.C. 552(b)(1) (required by Executive order to be kept secret in the interest of national defense or foreign policy), and such records are exempt under 5 U.S.C. 552a(k)(1).

[44 FR 54994, Sept. 24, 1979, as amended at 45 FR 67079, Oct. 9, 1980]

Subpart 1212.8—Failure To Comply With Requirements of This Part

§ 1212.800 Civil remedies.

Failure to comply with the requirements of the Privacy Act and this part could subject NASA to civil suit under the provisions of 5 U.S.C. 552a(g).

§ 1212.801 Criminal penalties.

(a) A NASA employee may be subject to criminal penalties under the provisions of 5 U.S.C. 552a(i) (1) and (2).

(b) An individual who seeks access to a NASA record under false pretenses is subject to criminal penalties under 5 U.S.C. 552a(i)(3).

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

National Archives and Records Administration (NARA) Privacy Act Notice of Systems

NARA 1. Researcher Application Files.
NARA 2. Reference Request Files.
NARA 3. Donors of Historical Materials Files.
NARA 4. National Archives Committees Files.
NARA 5. Conference and Related Activities Files.
NARA 6. Mailing List Files.
NARA 7. Mandatory Review of Classified Documents Request Files and Freedom of Information Act Request Files
NARA 8. Restricted and Classified Records Access Authorization Files.
NARA 9. Authors Files.
NARA 10. Employee Drug Abuse/Alcoholism Files.
NARA 11. Credentials, Passes, and Licenses.
NARA 12. Emergency Notification Roster and Files.
NARA 13. Defunct Agency Records.
NARA 14. Payroll and Time and Attendance Reporting System.
NARA 15. Editorial Freelance Vendor File.
NARA 16. Library Circulation Files.
NARA 17. Grievance Records.
NARA 18. General Law Files.
NARA 19. Workers Compensation Case Files.
NARA 20. Reviewer/Consultant File.
NARA 22. Employee Related Files.
NARA 23. Investigation Case Files.
NARA 24. Personnel Security Files.

NARA 1

System name:

Researcher Application Files.

System location:

This system of records is located in the National Archives Building, the Regional Archives, and except for the electronic database, the Presidential Libraries. The addresses are listed in the appendix following the NARA Notices.

Categories of individuals covered by the system:

Any member of the general public who applies to use original records in the National Archives, the Regional Archives, and the Presidential Libraries.

Categories of records in the system:

Applications to use records including the individual's name, address, telephone number, occupation, research topic, educational level, and field of interest. At the National Archives Building and the Regional Archives, the system includes an electronic database containing the information from applications.

Authority for maintenance of the system:

44 U.S.C. 2108, 2203(f)(1), and 2907.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records are used by NARA employees in the Office of the National Archives (including the Regional Archives) and the Presidential Libraries to register individuals who apply to use original records for research at a NARA facility; to record initial research interests of researchers; to determine which records the individual should use; to provide a means of contacting the individual if additional information of research interest to him or her is found, or if problems with the records are discovered; and to mail notices of events and programs of interest to users of the records. Information in the electronic database will be used by staff of the Office of National Archives (and the Regional Archives) as a finding aid, to compile statistical reports regarding researcher use of records, and to facilitate the preparation of mailing lists. The routine use statements A, F, and G, described in the appendix following the NARA Notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper and floppy disks.

Retrievability:

Filed alphabetically at each location by name of individual, except that at the National Archives Building and the Regional Archives records may be filed numerically by researcher card number and accessed through the electronic database.

Safeguards:

During normal hours of operation, paper records are maintained in areas accessible only to authorized personnel of NARA. The electronic database maintained by the Office of the National Archives operates on a non-networked computer accessible only to NARA employees via passwords on terminals located in attended offices. After hours, buildings have security guards and/or doors are secured and all entrances are monitored by electronic surveillance equipment.

Retention and disposal:

Paper records, including (if necessary) a printout indexed by researcher name, are cut off annually, held one year, and retired. They are destroyed when 25 years old. Electronically stored records are cut off when two years old, then maintained on a backup disk and deleted one year later. These procedures are in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

NARA officials with responsibility for this geographically dispersed system of records are the Assistant Archivist for the National Archives at the National Archives Building, the directors of the Presidential libraries, and the directors of the Regional Archives. The system manager for the electronic database is the Assistant Archivist for the National Archives. The addresses for these locations are listed in the appendix following the NARA Notices.

Notification procedure:

Information may be obtained from the officials cited above at the appropriate repository where individuals have used records.

Record access procedures:

Requests for these records should be addressed to the Assistant Archivist for the National Archives, the directors of the Presidential Libraries, or the directors of the Regional Archives, depending on where individuals have used records. In-person requests may be made during business hours listed for each location in the appendix following the NARA Notices. For written requests, the individual should provide full name, address, and telephone number, the approximate dates records were used. For personal visits, individuals should be able to provide some acceptable identification, such as a driver's license or student or employee identification. Only general inquiries may be made by telephone.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Researchers.

Effective date: Jan. 2, 1990.

NARA 2

System name:

Reference Request Files.

System location:

This system of records is located in the National Archives Building, the National Audiovisual Center, the Presidential Libraries, the Washington National Records Center, the Federal Records Centers, the National Personnel Records Center, and the Regional Archives. The addresses are listed in the appendix following the NARA Notices.

Categories of individuals covered by the system:

Researchers and correspondents requesting information from the records in the National Archives, the National Audiovisual Center, Presidential Libraries, the Washington National Records Center, the Federal Records Centers, the National Personnel Records Center and the Regional Archives.

Categories of records in the system:

Correspondence, reference slips, receipts for money, deposit account records, reproduction orders, reference logs, lending files, and reference files pertaining to requests for information, including all or parts of the following: Requester's name, address, telephone number, occupation, research topic, educational level, and field of interest.

Authority for maintenance of the system:

44 U.S.C. 2108, 2203(f)(2), and 2907.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records are used by employees of NARA who have a need for the records in the performance of their duties to record requests for information and the responses to those requests; to maintain control over information requests received and answered; to enable later contact with the requester if required; to assist in the preparation of standard replies to similar questions; to facilitate preparation of statistical and other reports; to maintain control of records being used; to establish researcher accountability for records; to record payment for reproduction orders and funds placed on deposit; to record loans of materials or records from the above locations; and, when requested by a researcher, to write recommendations for researchers for grants or employment. The routine use statements A, F, and G, described in the appendix following the NARA Notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in card files and file folders.

Retrievability:

The records within this system are primarily retrieved by name.

Safeguards:

During normal working hours of operation, records are maintained in areas accessible only to authorized personnel of NARA. After hours, buildings have security guards an/or doors are secured and all entrances are monitored by electronic surveillance equipment.

Retention and disposal:

Records which are:

(1) Created in the administration of loans are cut off after the return of the materials, held one year, and destroyed.

(2) Created in the process of providing reference service by mail are cut off annually, held two years, and destroyed.

(3) Created in the process of providing records to researchers in National Archives research rooms are cut off annually, held one year and retired. They are destroyed when 25 years old.

These procedures are in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

Depending on where the records are located, the system managers are the Assistant Archivist for the National Archives, the Director of the National Audiovisual Center, the directors of the Presidential Libraries, the director of the Washington National Records Center, the directors of the Federal Records Center, the director of the National Personnel Records Center and the directors of the Regional Archives, at the addresses listed for these locations in the appendix following the NARA Notices.

Notification procedure:

Information may be obtained from the officials listed above at the appropriate repository where individuals have used records or directed inquiries. The addresses are listed in the appendix following the NARA Notices.

Record access procedures:

Requests for these records should be addressed to the Assistant Archivist for the National Archives, the Director of the National Audiovisual Center, the directors of the Presidential Libraries, the director of the Washington National Records Center, the directors of the Federal Records Center, the director of the National Personnel Records Center or the directors of the Regional Archives, depending on where individuals used records or directed inquiries. In-person requests may be made during normal business hours listed for each location in the appendix following the NARA notices. For written requests, provide full name, address, telephone number, and the approximate dates of the correspondence or transaction. For personal visits, individuals should be able to provide some acceptable identification, such as a driver's license or student or employee identification. Only general inquiries may be made by telephone.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Researchers, correspondents, and employees of the National Archives.

NARA 3

System name:

Donors of Historical Materials Files.

System location:

This system of records is located in the National Archives Building and the Presidential Libraries. The addresses are listed in the appendix following the NARA Notices.

Categories of individuals covered by the system:

Donors and potential donors of papers or other historical materials to the National Archives and Presidential Libraries.

Categories of records in the system:

Correspondence, deeds of gift, deposit agreements, accession files, accession cards, administrative files, inventories of museum objects, oral history use agreements, tapes, and transcripts, all of which are related to the solicitation and preservation of donations. Also included are biographical data on donors as well as their addresses, telephone numbers, and occupations.

Authority for maintenance of the system:

44 U.S.C. 2111 and 2112.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records are used by employees of NARA who have a need for the records in the performance of their duties primarily to record solicitation efforts and accessioning of papers and other historical materials for preservation in the above locations; to maintain control over the accessions program; to facilitate future solicitations of gifts; to record deeds of gift; and to record agreements of use. The routine uses of records also include releasing biographical material about donors and prospective donors to the public as well as the routine use statements A, F, and G, described in the appendix following the NARA Notices.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders; sound recordings.

Retrievability:

Filed alphabetically at each location by name of donor.

Safeguards:

Buildings have security guards, and records and other materials are maintained in areas accessible only to authorized personnel of NARA.

Retention and disposal:

Records are permanent, in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

Depending on where the records are maintained the system managers are the Assistant Archivist for the National Archives and the Assistant Archivist for Presidential Libraries at the National Archives Building, and the directors of the Presidential Libraries. The addresses are listed in the appendix following the NARA Notices.

Notification procedure:

Information may be obtained from the officials listed above at the appropriate repository where individuals have donated materials or from which they have received requests for donations. The addresses are listed in the appendix following the NARA Notices.

Record access procedures:

Requests for these records should be addressed to the Assistant Archivist for the National Archives, the Assistant Archivist for Presidential Libraries, or a director of a Presidential Library depending on which repository the individual has been associated with. In-person requests may be made during normal business hours listed for each location in the appendix following the NARA Notices. For written requests, provide full name, address, telephone number, and the approximate dates of the correspondence or transaction. For personal visits individuals should be able to provide some acceptable identification such as a driver's license or employee identification card. Only general inquiries may be made by telephone.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Donors, potential donors, and employees of the National Archives.

NARA 4

System name:

National Archives Committees Files.

System location:

This system of records is located in the National Archives building, 7th and Pennsylvania Avenue, NW., Washington, DC.

Categories of individuals covered by the system:

Former, current, and prospective advisory committee members.

Categories of records in the system:

Correspondence with and biographical information about former, current, and prospective advisory committee members including all or parts of the following: name, address, telephone number, education, professional vita, and publications.

Authority for maintenance of the system:

44 U.S.C. 2104(f).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records are used by employees of NARA who have a need for these records in the performance of their duties to review professional qualifications of prospective committee members; to document activities of the committees themselves. To serve as a mailing list of current and past members; to record the committee members' role; and to help formulate advisory committee policy. Biographical material relating to advisory committee members is made available to the public for purposes of publicizing the membership and activities of the committees. The routine use statement F, described in the appendix following the NARA Notices, also applies to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed alphabetically by name of individual.

Safeguards:

During normal hours of operation, records are maintained in areas accessible only to authorized personnel of NARA. After hours, the building has security guards and/or doors are secured and all entrances are monitored by electronic surveillance equipment.

Retention and disposal:

These records are cut off after each meeting, held five years, and offered to the National Archives. These procedures are in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

The NARA official with overall responsibility for the system records is the Assistant Archivist for Management and Administration (NA), National Archives Building, 7th and Pennsylvania Avenue, NW., Washington, DC.

Notification procedure:

Information may be obtained from the official listed above at the address listed above.

Record access procedures:

Requests for these records should be addressed to the Assistant Archivist for Management and Administration (NA). In-person requests may be made during normal business hours listed in the appendix, following the NARA Notices. For written requests, provide full name, address, telephone number, and if applicable, dates of service. For personal visits, individuals should be able to provide some acceptable identification, such as a driver's license or employee identification card. Only general inquiries may be made by telephone.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Former, current, and prospective advisory committee members, associates of committee members, and employees of the National Archives.

NARA 5

System name:

Conference and Related Activities Files.

System location:

This system of records is located in the National Archives Building; the Office of Records Administration at 601 D Street, NW., Washington, DC; Presidential Libraries; Washington National Records Center; Federal Records Centers; National Personnel Records Center; and the Regional Archives. The addresses are listed in the appendix following the NARA Notices.

Categories of individuals covered by the system:

Participants or potential participants in symposia, conferences, lectures, and training courses offered or sponsored by NARA.

Categories of records in the system:

Biographical information about individuals involved in these activities including name, address, telephone number, area of expertise, research interest, occupation, education, and publications. Also, copies of training requests (SF-182 or equivalent).

Authority for maintenance of the system:

44 U.S.C. 2104, 2109, and 2204.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records are used by employees of NARA who have a need for the records in the performance of their duties in the various archival programs indicated above; to provide a record of previous activities; to promote the use of archival materials; to provide mailing lists; to facilitate publication of the activity's proceedings; and to register persons attending the activity. The routine use statement F, described in the appendix following the NARA Notices, also applies to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in card files and file folders.

Retrievability:

Filed alphabetically at each location by name of individual.

Safeguards:

During normal hours of operations, records are maintained in areas accessible only to authorized personnel of NARA. After hours, buildings have security guards and/or doors are secured and all entrances are monitored by electronic surveillance equipment.

Retention and disposal:

These records are cut off after the event, held for one year, and destroyed. These procedures are in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

NARA officials with responsibility for this geographically dispersed system of records are the Assistant Archivist for the National Archives and the Assistant Archivist for Public Programs at the National Archives Building, the Assistant Archivist for Records Administration at 601 D Street, NW., Washington, DC; the directors of the Presidential Libraries; the director of the Washington National Records Center; the directors of the Federal Records Centers; the director of the National Personnel Records Center; and the directors of the Regional Archives at the addresses listed in the appendix following the NARA Notices.

Notification procedure:

Information may be obtained from the officials listed above at the appropriate location which sponsored the activity which the individual attended or in which he or she participated. The addresses are listed in the appendix following the NARA Notices.

Record access procedures:

Requests for these records should be addressed to the Assistant Archivist for the National Archives; the Assistant Archivist for Public Programs; the Assistant Archivist for Records Administration; the directors of the Presidential Libraries; the director of the Washington National Records Center; the directors of the Federal Records Centers; the director of the National Personnel Records Center; or the directors of the Regional Archives. In-person requests may be made during normal working hours listed for each location in the appendix following the NARA Notices. For written requests, provide full name, address, telephone number, and the dates of activity. For personal visits, provide some acceptable identification, such as a driver's license or an employee identification card. Only general inquiries may be made by telephone.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Participants, attendees, and employees of the National Archives.

NARA 6

System name:

Mailing List Files.

System location:

This system of records is located in the National Archives Building, Presidential Libraries, National Audiovisual Center, and the Regional Archives. The addresses are listed in the appendix following the NARA Notices.

Categories of individuals covered by the system:

Researchers; buyers of NARA products and those making inquiries or receiving price quotations on possible orders; tourists; government officials; professional colleagues; professionals in related fields, such as librarians and teachers; and others with an interest in National Archives activities.

Categories of records in the system:

Mailing lists include primarily the individual's name and address. Some lists also include telephone number, title, occupation, and institutional affiliation. Some mailing lists include type and subject of materials purchased, date purchased, and dollar value.

Authority for maintenance of the system:

44 U.S.C. 2109, 2112, 2307, 2902, and 2904.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The mailing lists are used by employees of NARA who have a need for the records in the performance of their duties, to address newsletters, announcements, programs, and material about special events; to bill researchers for reproduction orders; and to mail press releases and other information. On occasion the mailing lists are donated to or exchanged with private and public organizations to further scholarship and NARA programs. The routine use statement F, described in the appendix following the NARA Notices, also applies to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in card files, index cards, address plates, magnetic cards, punch cards, cassettes, and magnetic tape.

Retrievability:

Filed alphabetically at each location by name of individual.

Safeguards:

During normal hours of operation, these records are maintained in areas accessible only to authorized personnel of NARA. After hours, buildings have security guards and/or doors are secured and all entrances are monitored by electronic surveillance equipment.

Retention and disposal:

These mailing lists are reviewed annually and updated. Outdated information is purged. These procedures are in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

Officials responsible for this geographically dispersed system of records are the Assistant Archivist for Management and Administration, the Assistant Archivist for the National Archives, the Assistant Archivist for the Presidential Libraries, and the Assistant Archivist for Public Programs at the National Archives Building, and the Assistant Archivist for Records Administration at 601 D Street, NW., Washington, DC. Other officials are directors of the Presidential Libraries, and the directors of the Regional Archives. The addresses for these locations are listed in the appendix following the NARA Notices.

Notification procedure:

Information may be obtained from the officials cited above at the appropriate location in which the individual has expressed an interest or in which he or she has a potential interest. The addresses are listed in the appendix following the NARA Notices.

Record access procedures:

Requests from individuals to access records should be addressed to the Assistant Archivist for Management and Administration, the Assistant Archivist for the National Archives, the Assistant Archivist for Presidential Libraries, the Assistant Archivist for Public Programs, the Assistant Archivist for Records Administration, the directors of the Presidential Libraries, or the directors of the Regional Archives, depending on which NARA activity maintains the specific records. In-person requests may be made during normal business hours listed for each location in the appendix following the NARA Notices. For written requests, provide full name, address, and telephone number, and the approximate date of communications with the repository. For personal visits, individuals should be able to provide some acceptable identification, such as a driver's license or employee identification card. Only general inquiries may be made by telephone.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Individuals expressing an interest in Archives activities and NARA employees.

NARA 7

System name:

Mandatory Review of Classified Documents Request Files and Freedom of Information Act Request Files.

System location:

This system of records is located in the National Archives Building, Presidential Libraries, Washigton National Records Center, Federal Records Centers, and the Regional Archives. The addresses are listed in the appendix following the NARA Notices.

Categories of individuals covered by the system:

Researchers requesting mandatory review of security classified documents and requesting records under the Freedom of Information Act.

Categories of records in the system:

Requests for records under the Freedom of Information Act include requestor's name, address, and material requested. Requests for mandatory review of classified documents include requestor's name, address, telephone number, occupation, employer, and research topic.

Authority for maintenance of the system:

Executive Order 12356, April 2, 1982 (3 CFR, 1982 Comp., p. 166) and 5 U.S.C. 552, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records are used by employees of NARA who have a need for the records in the performance of their duties to record requests for access to security-classified records and requests to obtain records under the Freedom of Information Act; to record the status of each request; to record actions taken on requests, and to compile information for statistical reports. Records in this system may be made available for access review to the agency that created the documents requested under the Freedom of Information Act or a Mandatory Review request. The routine use statements A, F, and G, described in the appendix following the NARA Notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in card files and file folders.

Retrievability:

Filed alphabetically at each location by name of individual.

Safeguards:

During normal hours of operation, these records are maintained in areas accessible only to authorized personnel of NARA. After hours, buildings have security guards and/or doors are secured and all entrances are monitored by electronic surveillance equipment.

Retention and disposal:

Records are cut off annually, held one year, and retired. They are subsequently destroyed in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

NARA officials with responsibility for this geographically dispersed system of records are the Assistant Archivist for the National Archives and the Assistant Archivist for Management and Administration at the National Archives Building, the directors of the Presidential Libraries, the director of the Washington National Records Center, the directors of the Federal Records Centers, and the directors of the Regional Archives, at the addresses listed for these locations in the appendix following the NARA Notices.

Notification procedure:

Information may be obtained from the officials listed above at the appropriate repository where individuals have requested mandatory review of classified records or have requested records under the Freedom of Information Act. The addresses are listed in the appendix following the NARA Notices.

Record access procedures:

Requests for these records should be addressed to the Assistant Archivist for Management and Administration, the Assistant Archivist for the National Archives, the directors of the Presidential Libraries, the director of the Washington National Records Center, the directors of the Federal Record Centers, or the directors of the Regional Archives, depending on where the individual requested the mandatory review or requested records under the Freedom of Information Act. In-person requests may be made during normal business hours listed for each location in the appendix following NARA Notices. For written requests, provide some acceptable identification. Only general inquiries may be made by telephone.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Researchers who have requested mandatory review of records or who have requested records under the Freedom of Information Act.

NARA 8

System name:

Restricted and Classified Records Access Authorization Files.

System location:

This system of records is located in the National Archives Building, Presidential Libraries, Washington National Records Center, National Personnel Records Center, Federal Records Centers, and the Regional Archives. The addresses are listed in the appendix following the NARA Notices.

Categories of individuals covered by the system:

Researchers who apply to use agency-restricted, donor/restricted, or classified records in the locations listed above.

Categories of records in the system:

Applications and letters of authorization to use restricted and/or classified records, including name, address, telephone number, occupation, employer, security clearance, social security number, date and place of birth, purpose, field of interest, citizenship, intention to publish, and type of publication.

Authority for maintenance of the system:

44 U.S.C. 2108 and 2204.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records are used by employees of NARA who have a need for the records in the performance of their duties to control access to restricted materials; to maintain a record of requests for access; and to authorize access to restricted/classified materials. Records in this system may be made available for access review to agencies whose restricted records are the subject of an accesss request. The routine use statements A, F, and G, described in the appendix following the NARA Notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in card files and file folders.

Retrievability:

Filed alphabetically at each location by name of individual.

Safeguards:

During normal hours of operation, these records are maintained in areas accessible only to authorized personnel of NARA. After hours, buildings have security guards and/or doors are secured and all entrances are monitored by electronic surveillance equipment.

Retention and disposal:

These records relating to private individuals requesting access are cut off annually, held one year, and retired. After 14 additional years they are destroyed. Records relating to agency officials requesting access are destroyed on supersession or obsolescence of the authorization document, or on transfer or separation of the individual concerned. These procedures are in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

NARA officials with responsibility for this system of records are the Assistant Archivist for the National Archives at the National Archives Building, the directors of Presidential Libraries, the director of the Washington National Records Center, the director of the National Personnel Records Center, the directors of the Federal Record Centers and the directors of the Regional Archives, at the addresses listed for these locations in the appendix following the NARA Notices.

Notification procedure:

Information may be obtained from the officials listed above at the appropriate repository where individuals have applied for access to records. The addresses are listed in the appendix following the NARA Notices.

Record access procedures:

Requests for these records should be addressed to the Assistant Archivist for the National Archives, the directors of the Presidential Libraries, the directors of the Washington National Records Center, the director of the National Personnel Records Center, the directors of the Federal Records Centers or directors of the Regional Archives, depending on where the individual submitted his or her application for access to the records. In-person requests may be made during normal business hours listed for each location in the appendix following the NARA Notices. For written requests, provide full name, address, telephone number, and the approximate dates the application was made. For personal visits, individuals should be able to provide some acceptable identification, such as a driver's license or employee identification card. Only general inquiries may be made by telephone.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Researchers and agency officials.

NARA 9

System name:

Authors Files.

System location:

This system of records is located in the National Archives Building, Presidential Libraries, and the Regional Archives. The addresses are listed in the appendix following the NARA Notices.

Categories of individuals covered by the system:

Authors whose publications are based on National Archives holdings and authors who have submitted manuscripts which have been published or considered for publication in Prologue: The Journal of the National Archives.

Categories of records in the system:

Biographical information about the authors including name, address, telephone number, occupation, education, and research interests, and manuscript copies of writings.

Authority for maintenance of the system:

44 U.S.C. 2307.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records are used by employees of NARA who have a need for the records in the performance of their duties to provide an indication of areas of interest in archival holdings and the extent to which the scholarly community relies on National Archives holdings as primary source material; and to maintain a record of manuscripts which Prologue has rejected or accepted and published. The routine use statement F, described in the appendix following the NARA Notices, also applies to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Retrievability:

Filed alphabetically at each location by name of individual.

Safeguards:

During normal hours of operation, these records are maintained in areas accessible only to authorized personnel of NARA. After hours, buildings have security guards and/or doors are secured, and all entrances are monitored by electronic surveillance equipment.

Retention and disposal:

Disposition of these records shall be in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

NARA officials responsible for this geographically dispersed system of records are the Assistant Archivist for the National Archives and the Assistant Archivist for Public Programs at the National Archives Building, the directors of the Presidential Libraries, and the directors of the Regional Archives. The addresses are listed in the appendix following the NARA Notices.

Notification procedure:

Information may be obtained from the official listed above at the appropriate repository where individuals have used records or submitted manuscripts for publication. The addresses are listed in the appendix following the NARA Notices.

Record access procedures:

Requests for these records should be addressed to the Assistant Archivist for the National Archives, the Assistant Archivist for Public Programs, the directors of the Presidential Libraries, or the directors of the Regional Archives. In-person requests may be made during normal business hours listed for each location in the appendix following NARA notices. For written requests, provide full name, address, telephone number, and the title of publication. For personal visits, individuals should be able to provide some acceptable identification such as a driver's license or an employee identification card. Only general inquiries may be made by telephone.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Authors and NARA employees.

NARA 10

System name:

Employee Drug Abuse/Alcoholism Files.

System location:

This system of records in located in the personnel offices of NARA at the addresses listed in the appendix following the NARA Notices; in the offices of designated counselors; and in the offices of supervisors who supervise employees suspected or known to have drug abuse problems (including alcoholism).

Categories of individuals covered by the system:

NARA employees who have been suspected or known to have an alcohol or drug abuse problem.

Categories of records in the system:

This system of records includes referrals for counseling, counseling files, and referrals for rehabilitative assistance.

Authority for maintenance of the system:

21 U.S.C. 1101 et seq. and 5 U.S.C. 7901.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records in this system of records are used to document that supervisors have properly dealt with employees whose work is affected by alcohol or other drug abuse; to communicate information to personnel having a need for the information in connection with their duties, such as medical or health personnel, alcohol or other drug abuse counselors and program administrators, and qualified service organizations; to provide a basis for meeting reporting requirements to the Office of Personnel Management; and to disclose information to the Department of Justice or other appropriate Federal agencies in defending claims against the United States, when the claim is based upon an employee's mental or physical condition and is alleged to have arisen because of the activities of NARA in connection with such individual. Such disclosure will be restrictively made; in particular, disclosures of information pertaining to an individual with a history of alcohol or other drug abuse will be limited in compliance with the restrictions of the confidentiality of Alcohol and Drug Abuse Patient Records regulation, 42 CFR part 2.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file drawers or cabinets.

Retrievability:

Filed alphabetically at each location by name of individual.

Safeguards:

When not in normal use by an authorized person, these records are stored in lockable metal file cabinets or in secured rooms.

Retention and disposal:

These records are maintained for 1 year after the employee's last contact with the counselor, or until the employee's separation or transfer, whichever comes first. These records are destroyed by shredding or burning.

System manager(s) and address:

The Director of Personnel at 601 D Streets NW., Washington, DC. Mailing address: National Archives and Records Administration (NAP), Washington, DC 20408.

Notification procedure:

Current NARA employees may obtain information about whether they are part of this system of records from their supervisor or from their personnel officer at the appropriate address listed in the appendix following the NARA Notices, or from the NARA Director of Personnel at the address noted above, whichever is applicable. Former NARA employees should direct requests to gain access to information pertaining to them to the appropriate NARA personnel officer at the address listed in the appendix. For identification requirements refer to the NARA regulations outlined in 36 CFR part 1202.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Supervisors, counselors, personnel specialists, and the employees themselves.

NARA 11

System name:

Credentials, Passes, and Licenses.

System location:

This system of records is maintained by the Administrative Services Division, National Archives Building, 7th and Pennsylvania Avenue NW., Washington, DC; the Director of the Washington National Records Center, 4205 Suitland Road, Suitland, Maryland; and by the Administrative Officers at other NARA facilities listed in the appendix following the NARA Notices.

Categories of individuals covered by the system:

All NARA employees, contractors and volunteers whose assigned responsibilities require the issuance of credentials for identification and security purposes, or a license to operate a motor vehicle.

Categories of records in the system:

1. Standard Form 47, Physical Fitness Inquiry for Motor Vehicle Operators (Name, date of birth, title of position, home address, agency medical inquiry, applicant's signature and date, signature of designated official, and date).
2. NA Form 6006, Request for and Record of Credential or Pass (Name, description of individual, SSN, and place of employment).
3. NA Form 6000, National Archives Identification Card (Photo, signature of employee, name of employee, signature of issuing official, date issued, identification serial number, height, weight, color eyes, color hair, and date of birth).
4. NA Form 7001, Application for Motor Vehicle Operator's identification Card (SF 46) (Name, organization, type of vehicle, personal data and driving record, applicant's signature and date, physical fitness certification by signature of certifying official, and certification of eligibility by signature of certifying official).
5. Of 7, Property Pass (Name, building, description of property, agency, and effective date).
6. NA Form 6009, Parking Control Record (Name, address, agency, correspondence symbol, office telephone number, and length of service).

Authority for maintenance of the system:

44 U.S.C. 2104.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records in this system are used primarily to facilitate the issuance and control of cards, parking permits, building passes, drivers licenses, and similar credentials. The routine use statements A, B, and F, described in the appendix following the NARA Notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper forms.

Retrievability:

By name.

Safeguards:

When not in use by an authorized person, these records will be stored in lockable metal file cabinets or in secured areas.

Retention and disposal:

Credential and pass records are destroyed 3 months after expiration, revocation or return to issuing office. Motor vehicle records are destroyed 3 years after employee separation or rescission of certificate, and parking control records when 3 years old. These procedures are in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

The official NARA responsible for this system of records is the Director of Administrative Services, 7th and Pennsylvania Avenue NW., Washington, DC. Since this is a geographically dispersed system, individuals may also gain access to it by contacting the Administrative Officers at locations listed in the appendix following the NARA Notices or the Director, Washington National Records Center (NCW), Washington, DC 20409.

Notification procedure:

The addresses of the NARA offices to which inquiries should be addressed and addresses at which an individual may request whether a system contains records pertaining to himself or herself are shown in the appendix following the NARA notices. Individuals should provide name, social security number, period of employment, and position held to assist the office in locating the record.

Record access procedures:

Individuals can obtain information on the procedures for gaining access to or contesting records from the Director of Administrative Services, the Director of the Washington National Records Center, or the Administrative Officers at NARA facilities, as shown in the appendix following the NARA Notices.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Information is provided by the employee, contractor or volunteer being issued the credential and by the issuing official.

NARA 12

System name:

Emergency Notification Rosters and Files.

System location:

This system of records is maintained in the Administrative Services Division, 7th and Pennsylvania Avenue NW., Washington, DC and in all NARA facilities outside the Washington, DC metropolitan area listed in the appendix following the NARA Notices.

Categories of individuals covered by the system:

NARA officials at division director level and above, and NARA employees with emergency assignments.

Categories of records in the system:

Records consist of roster of NARA officials; NARA employee emergency assignments; and essential employees's residence telephone numbers. Information includes name, office and home telephone numbers, home address, title and emergency assignment.

Authority for maintenance of the system:

44 U.S.C. 2104.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records in this system are used primarily to maintain current directory information on key NARA officials or for use by the Central Office contact point during weekends, holidays, and emergencies; to provide essential telephone service to key employees during emergencies; and to notify officials and employees of emergency conditions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper.

Retrievability:

Indexed by name.

Safeguards:

When not in use by an authorized person, these records will be stored in lockable metal file cabinets or in secured areas.

Retention and disposal:

Disposition of records shall be in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

The NARA official with overall responsibility for the system of records is the Director of Administrative Services, 7th and Pennsylvania Avenue NW., Washington, DC. Since this is a geographically dispersed system of records, individuals may gain access to it by contacting the officials at locations listed in the appendix following the NARA Notices.

Notification procedure:

NARA employees may obtain information as to whether they are part of this system of records from the Director of Administrative Services or the appropriate director of a Presidential Library, Federal Records Center, Regional Archives, the Washington National Records Center or National Personnel Records Center listed in the appendix following the NARA Notices.

Record access procedures:

An individual can obtain information on the procedures for gaining access to records from the Director of Administrative Services or the appropriate director of a Presidential Library, Federal Records Center, Regional Archives, the Washington National Records Center, or National Personnel Records Center listed in the appendix following the NARA Notices.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Information is provided by subject individuals and their supervisors.

NARA 13

System name:

Defunct Agency Records.

System location:

This system of records is located in the Federal records centers at the locations listed in the appendix following the NARA Notices.

Categories of individuals covered by the system.

Employees of defunct agencies and individuals who may have had dealings with the defunct agencies.

Categories of records in the system:

Records other than those covered by Governmentwide systems which are arranged or can be retrieved alphabetically by name or other personal identifiers.

Authority for maintenance of the system:

44 U.S.C. 2108.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The routine use of statements A, B, C, F, and G, described in the appendix following the NARA notices, apply to this system of records. The records, if unscheduled for disposition, are routinely used during the appraisal process.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders and card files, microfilm records in reels, and computer records on tapes. All records are stored in record center containers.

Retrievability:

Records are retrieved generally by name or social security number.

Safeguards:

When not in use by an authorized person, the records are stored in record center containers located in Federal records center storage areas.

Retention and disposal:

Records appraised as permanent will be transferred to the custody of the Office of the National Archives. Records appraised as temporary will be destroyed immediately or after a fixed period of time, whichever is approved by the Archivist of the United States.

System manager(s) and address:

The system manager is the Deputy Archivist of the United States, 7th and Pennsylvania Avenue NW., Washington, DC. Mailing address: National Archives and Records Administration (ND), Washington, DC 20408.

Notification procedure:

Requests for assistance should be made to the Deputy Archivist of the United States, National Archives and Records Administration (ND), Washington, DC 20408.

Record access procedures:

NARA procedures for record access are contained in 36 CFR part 1202.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Upon termination of an agency, the agency transfers its records to the custody of NARA.

NARA 14

System name:

Payroll and Time and Attendance Reporting System.

System location:

This system of records is located in the NARA offices wherever there are timekeepers and at the addresses listed in the appendix following the NARA Notices. An automated series of records in this system, the Payroll Information Processing System (PIPS), is maintained for NARA by the General Services Administration under a reimbursable agreement.

Categories of individuals covered by the system:

Current and former NARA employees.

Categories of records in the system:

The system provides for reporting each employee's pay status as either on the job time or as paid or unpaid time, including absences without authorized leave. Accordingly, records include but are not limited to name, home address, telephone number, work location, social security number, hours of duty, and payroll and attendance information.

Authority for maintenance of the system:

5 U.S.C., Part III (sec 2101-8901), is the authority for the overall system. Specific authority for use of social security numbers is contained Executive Order 9397, 26 CFR 31.6011(b)2, and 26 CFR 31.6109-1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To the extent necessary, the records are available outside NARA to monitor and document grievance proceedings, EEO complaints, and adverse actions; and to conduct counseling sessions. The information contained in this system of records may be disclosed to the Office of Management and Budget in connection with the review of private relief legislation at any stage of the legislative coordination and clearance process. A record from this system of records may be provided to the Office of Personnel Management in its production of summary descriptive statistics for which these records are collected and maintained, or for related work studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in a way to make individuals identifiable by inference. The routine use statements A, B, C, D, E, F, G, and H, described in the appendix following the NARA Notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders, card files, and cabinets; microfilm records in reels and cabinets; microfiche in cabinets; magnetic tapes and cards in cabinets and storage libraries; and computer records within a computer and attached equipment.

Retrievability:

Filed alphabetically by name.

Safeguards:

Stored in guarded buildings and/or in controlled areas.

Retention and disposal:

Disposition of these records will be in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

Chief, National Payroll Center, General Services Administration, 1500 E. Bannister, Kansas City, MO 64131. Mailing Address: Chief, National Payroll Center (6BCY-N), P.O. Box 419277, Kansas City, MO 64414.

Notification procedure:

Current NARA employees may obtain information about this system of records from their supervisor or from the address listed above. Former NARA employees may obtain information at the address listed above.

Record access procedures:

Requests from current or former NARA employees to access records should be directed to the employe's superior or to the Chief, National Payroll Center at the address noted above, whichever is applicable. For written requests, former NARA employees should provide full name, social security number, address, telephone number, and approximate dates and places of employment. For identification requirements, refer to the agency regulations as outlined in 36 CFR part 1202.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

The individuals themselves, other NARA employees, supervisors, other Federal agencies, and management officials.

NARA 15

System name:

Editorial Freelance Vendor File.

System location:

The system is located in the National Archives Building.

Categories of individuals covered by the system:

Former and current freelance vendors qualified to perform editorial services.

Categories of records in the system:

Correspondence with the biographical information about former and current editorial freelance vendors, including all or parts of the following: Name, address, telephone number, education, professional vita, samples of work, assignments and evaluations of work done for NARA, and purchase order documents.

Authority for maintenance of the system:

44 U.S.C. 2104.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records are used by the employees of NARA who have a need for the records in the performance of their duties to review professional qualifications of freelance contract editors; to make editorial assignments to freelance contract editors; to review progress being made on an assignment; to evaluate the quality of work performed during an assignment; and to account for money spent on contract editorial work.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed alphabetically by name of individual.

Safeguards:

System is in a locked file cabinet.

Retention and disposal:

Disposition of these records will be in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

The officials responsible for this system are the Director, Publications Division (NEP) and the Chief, Archival Publications Staff (NN-E) in the National Archives Building. The address for this location is listed in the appendix following the NARA notices.

Notification procedure:

Information may be obtained from the applicable system manager.

Record access procedures:

Requests for these records should be addressed to the Director, Publications Division, Office of Public Programs or the Chief, Archival Publications Staff, Office of the National Archives, as appropriate. In-person requests may be made during normal business hours. For written requests, provide full name, address, telephone number, and data span. For personal visits, individuals should provide some acceptable identification, such as a driver's license or employee identification card. Only general inquiries may be made by telephone.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Former and current freelance vendors qualified to perform editorial services and NARA employees.

NARA 16

System name:

Library Circulation Files.

System location:

This system of records is located in the Reference Services Branch in the National Archives Building and the Washington National Records Center. The addresses are listed in the appendix following the NARA notices.

Categories of individuals covered by the system:

All NARA employees who have borrowed books and other materials from the Library.

Categories of records in the system:

Specialized forms giving the names of individuals, materials borrowed, and dates of loan.

Authority for maintenance of the system:

44 U.S.C. 2104.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records are primarily used by the Reference Services Branch staff for controlling the circulation of library monographs and serials. The routine use statements A and F, described in the appendix following the NARA Notices, apply to this system of records.

Policies and practices for storing, retrieving accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file trays.

Retrievability:

Filed alphabetically by name.

Safeguards:

Records are stored in an area available to authorized Reference Services Branch personnel only.

Retention and disposal:

Disposition of records is in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

The Chief, Reference Services Branch (NNRS), 7th and Pennsylvania Avenue, NW, Washington, DC. Mailing address: National Archives and Records Administration (NNRS), Washington, DC 20408.

Notification procedure:

NARA employees may obtain information about whether they are part of this system of records from the Library staff at the address listed above.

Record access procedures:

Requests from NARA employees to gain access to information pertaining to them should be directed to the Chief, Reference Services Branch (NNRS), 7th and Pennsylvania Avenue NW., Washington, DC. For identification requirements refer to the agency regulations as outlined in 36 CFR part 1202.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

NARA employees borrowing books and other materials from the National Archives Library.

NARA 17

System name:

Grievance Records.

System location:

These records are located in the personnel offices of NARA at the location listed in the appendix following the NARA Notices or designated offices in NARA where the grievances were filed.

Categories of individuals covered by the system:

Current or former NARA employees who have submitted grievances with NARA in accordance with the Office of Personnel Management (OPM) Regulations (5 CFR part 771) or a negotiated procedure.

Categories of records in the system:

This system of records contains records relating to grievances filed by NARA employees under the OPM regulations. These case files contain all documents related to grievances including statements of witnesses, reports of interviews and hearings, examiner's findings and recommendations, a copy of the original and final decision, and related correspondence and exhibits. This system also includes files and records of internal grievances filed under negotiated grievance procedures.

Authority for maintenance of the system:

5 U.S.C. 1302, 3301, and 3302; E.O. 10577 (3 CFR 1954–1958 Comp., p. 218); E.O. 10987 (3 CFR 1959–1963 Comp., p. 519).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records in this system of records are used to disclose information to any source from which additional information is requested in the course of processing a grievance, to the extent necessary to identify an individual, inform the source of the purpose(s) of the request and identify the type of information requested. They are also used to provide information to officials of labor organizations recognized under the Civil Service Reform Act when relevant and necessary to their duties of exclusive presentation concerning personnel policies, practices, and matters affecting work conditions. The routine use statements D, F, G, and H, described in the appendix following the NARA Notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders.

Retrievability:

These records are retrieved by the names of the individuals on whom they are maintained.

Safeguards:

These records are maintained in lockable metal filing cabinets to which only authorized personnel have access.

Retention and disposal:

These records are disposed of 3 years after closing of the case. Disposal is by shredding or burning.

System manager(s) and address:

The Director, Personnel Service Division, 601 D Street NW., Washington, DC. Mailing address: National Archives and Records Administration (NAP), Washington, DC 20408.

Notification procedure:

It is required that individuals submitting grievances be provided a copy of the record under the grievance process. They may, however, contact the NARA personnel, or other designated office, where the action was processed regarding the existence of such records on them. They must furnish the following information for their records to be located and identified: Name, date of birth, approximate date of closing of the case and kind of action taken, and the organization component involved.

Record access procedures:

It is required that individuals submitting grievances be provided a copy of the record under the grievance process. However, after the action has been closed, an individual may request access to the official copy of the grievance file by contacting the NARA personnel or other designated office where the action was processed. Individuals must provide the following information for their records to be located and identified: Name, date of birth, approximate date of closing of the case, kind of action taken, and organizational component involved. Individuals requesting access must also follow the NARA regulations as outlined in 36 CFR part 1202 regarding access to records.

Contesting record procedures:

Review of requests from individuals seeking amendment of their records which have been the subject of a judicial or quasi-judicial action will be limited in scope. Review of amendment requests of these records will be restricted to determine if the record accurately documents the action of NARA's ruling on the case and will not include a review of the merits of the action, determination, or finding. Individuals wishing to request amendment of their records to correct factual errors should contact the NARA personnel or designated office where the grievance was processed. Individuals must furnish the following information for their records to be located and identified: Name, date of birth, approximate date of closing of the case, kind of action taken, and organizational component involved. Individuals must also follow the NARA Privacy Act regulations outlined in 36 CFR part 1202 regarding amendment to records.

Record source categories:

Information in this system of records is provided by the individual on whom the record is maintained, by testimony of witnesses, by agency officials, and from related correspondence from organizations or persons.

NARA 18

System name:

General Law Files.

System location:

This system of records is maintained by the Legal Service Staff, National Archives Building, 7th and Pennsylvania Avenue NW., Washington, DC. Mailing address: National Archives and Records Administration (NSL), Washington, DC 20408.

Categories of individuals covered by the system:

The system covers one or more of the following categories of individuals: NARA employees, past and present; other Federal agency employees; members of the public (including individuals, corporations, and firms); witnesses in litigation; persons who have Freedom of Information and Privacy Act requests and persons about whom such requests have been made; persons pursuing tort claims against the Government or who are involved in litigation with NARA and/or have filed grievances.

Categories of records in the system:

The system covers one or more of the following categories of records: Name of individual; position description, grade, salary; SSN; work history; complaint; history of the case; applicable law; working papers of attorneys; testimony of witnesses; background investigation materials, records subject to complaint, request, or litigation; correspondence; damage reports; contracts, accident reports, pleadings; affidavits; credit ratings; medical diagnoses and prognoses; doctor's bills; estimates of repair costs; invoices; litigation reports; financial data; and other data.

Authority for maintenance of the system:

5 U.S.C. 552 as amended; 5 U.S.C. 552a; 5 U.S.C., Part II; 5 U.S.C., Chapter 33; 5 U.S.C. 5108, 5314-5316 and 42 U.S.C. 20003, et seq.; 5 U.S.C. 7151-7154; 5 U.S.C. 7301; 5 U.S.C. 7501, note (adverse actions); 5 U.S.C., Chapter 77; 11 U.S.C.; 28 U.S.C. 1291, 1346(b)(c), 1402(b), 1504, 2110, 2401(b), 2402, 2411(b), 2412(c), 2671-2680; 31 U.S.C. 191; 31 U.S.C. 951-953, 341 U.S.C. 240-243; E.O. 6166; E.O. 10577; E.O. 11491; E.O. 11787.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records are used to give general legal advice, as requested, throughout NARA and to prepare attorneys for hearings and trials, to reference past actions, and to maintain internal statistics. Information may be released to the Department of Justice in review, settlement, defense, and prosecution of claims, complaints, and law suits involving contracts, torts, debts, bankruptcy, personnel adverse action, EEO, unit determination, unfair labor practices, and Freedom of Information and Privacy Act requests. The routine use statements A, B, C, E, F, and G, described in the appendix following the NARA notices, also supply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper.

Retrievability:

Manual, by name.

Safeguards:

Records are stored in secured buildings; available to authorized persons only.

Retention and disposal:

Disposition of records shall be in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

The system manager for the system is: Director, Legal Services Staff (NSL).

Notification procedure:

NARA notification procedures are contained in 36 CFR part 1202.

Record access procedures:

NARA procedures for record access are contained in 36 CFR part 1202.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Information in this system of records comes from one or more of the following sources: Federal employees and private parties involved in torts, contracts, personnel actions, unfair labor practices, and debts concerning the Federal Government; general law texts and sources; Dun and Bradstreet and other sources of financial information; law enforcement officers; and witnesses.

NARA 19

System name:

Workers Compensation Case Files.

System location:

This system of records is located in the Employee and Labor Relations Branch, 601 D Street, NW., Washington, DC; in administrative offices of field units; and in the offices of all supervisors who have had employees injured on the job or employees with other occupational health problems. The addresses for these locations are listed in the appendix following the NARA Notices.

Categories of individuals covered by the system:

NARA employees who have sustained injuries or other occupational health problems.

Categories of records in the system:

This system contains accident reports (including CA-1 & 2: Federal Employees Notice of Injury or Occupational Disease); claims for compensation for injury or occupation disease (CA-4); and claims for continuance of compensation on account of disability (CA-8).

Authority for maintenance of the system:

5 U.S.C. Chap. 81 (Compensation for Work Injuries) and 5 U.S.C. 7203 and 7901.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records in this system of records are used to identify and record those employees who have sustained injuries or other occupational health problems and provide information required by applicable law to be disclosed to a Federal, State, or local public health service agency concerning individuals who have contracted certain communicable diseases or conditions. Such information is used to prevent further outbreak of the disease or condition and is used in connection with a claim for benefits filed by an employee. The routine use statements A, B, C, F, and G, described in the appendix following the NARA Notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file cabinets.

Retrievability:

Filed alphabetically at each location by name.

Safeguards:

When not in use by an authorized person, these records are stored in lockable metal file cabinets or in secured rooms.

Retention and disposal:

Disposition of records shall be in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

Chief, Employee and Labor Relations Branch, 601 D Street NW., Washington, DC. Mailing address: National Archives and Records Administration (NAPL), Washington, DC 20408.

Notification procedure:

Current NARA employees may obtain information about whether they are a part of this system of records from their supervisor or from their administrative officer at the appropriate address listed in the appendix following the NARA Notices, or from the Chief, Labor and Employee Relations Branch at the address noted above, whichever is applicable. Former NARA employees may obtain information from the appropriate administrative officer at the addresses listed in the appendix.

Record access procedures:

Requests from current NARA employees to gain access to information pertaining to them should be directed to their supervisor or to their administrative officer at the appropriate address listed in the appendix following the NARA Notices, or to the Chief, Labor and Employee Relations Branch at the address noted above, whichever is applicable. Former NARA employees should direct requests to gain access to information pertaining to them to the appropriate administrative officer at the address listed in the appendix. For identification requirements, refer to the agency regulations as outlined in 36 CFR part 1201.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Information in this system of records is provided by the individuals to whom the records pertain, by supervisors required to complete various forms, or by the personnel specialists who prepare various records or claims.

NARA 20

System name:

Reviewer/Consultant File.

System location:

This system of records is located at the National Historical Publications and Records Commission, 7th and Pennsylvania Avenue NW., Washington, DC.

Categories of individuals covered by the system:

Archival reviewers and consultants who apply to serve as consultants or reviewers for the National Historical Publications and Records Commission's (NHPRC) records grant program.

Categories of records in the system:

Biographical information about the reviewers and consultants including name, address, telephone number, education, professional vita, publications, archival skills, archival and historical records experience, and program evaluation experience.

Authority for maintenance of the system:

44 U.S.C. 2501-2506.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The biographical material is used by NHPRC staff principally in the records grant program for selecting reviewers to evaluate proposals received by NHPRC and for proposing possible archival consultants for those individuals who have received grants. The routine use statement F, described in the appendix following the NARA Notices, also applies to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed alphabetically by name of individual.

Safeguards:

During normal hours of operation, records are maintained in areas accessible only to authorized personnel of NARA. After hours, the building has security guards and/or doors are secured and all entrances are monitored by electronic surveillance equipment.

Retention and disposal:

Records are destroyed when no longer needed for administrative purposes.

System manager(s) and address:

The official responsible for the system is the Executive Director, National Historical Publications and Records Commission, 7th and Pennsylvania Avenue, NW., Washington, DC. Mailing address: National Historical Publications and Records Commission (NP), Washington, DC 20408.

Notification procedure:

Inquiries by individuals as to whether the system contains a record pertaining to themselves should be addressed to the system manager.

Record access procedures:

Requests from individuals for access to records should be addressed to the system manager. In-person requests may be made during normal business hours. For written requests individuals should provide full name, address, telephone number, and approximate date of communication with the Commission. For personal visits, individuals should be able to provide some acceptable identification such as a driver's license or employee identification card. Only general inquiries may be made by telephone.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Archival experts who have volunteered to serve as reviewers or consultants.

NARA 22

System name:

Employee Related Files.

System location:

This system of records may be maintained at the supervisory or administrative offices at all NARA facilities.

Categories of individuals covered by the system:

Former and current NARA employees, applicants for employment, volunteer workers, and relatives of employees of the National Personnel Records Center.

Categories of records in the system:

This system consists of a variety of employee related records maintained by operating officials for the purpose of administering personnel matters affecting their employees and uncompensated workers. The documents include, but are not limited to, information on the individuals relating to name, social security number, birth date, home and emergency addresses and telephone numbers, personnel actions, professional registration, qualifications, training, congressional employee relief bills, injuries, employment history, awards and other recognition, counseling, warnings, reprimands, grievances, appeals, conduct, leave, pay, attendance, work assignments, performance, assessments, applications for permits and passes, indebtedness complaints, travel, and outside employment. The documents include military service data on employees of the National Personnel Records Center and their relatives accumulated by operating officials in administering the records security program at the Center. This system does not include official personnel files which are covered by the Office of Personnel Management's systems of records OPM/GOVT-1 through 10.

Authority for maintenance of the system:

Titles 5 and 31 U.S.C. generally.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records in this system of records are used to initiate requests for personnel actions, to plan and schedule training, to counsel employees on their performance, to establish a basis for proposing recommendations for disciplinary actions, and to carry out personnel management responsibilities in general. The routine use statements A, B, C, D, F, and G, described in the appendix following the NARA Notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders and card files, magnetic tape and disks, and computer printout.

Retrievability:

The records within this system are primarily retrieved by name.

Safeguards:

When not in use by an authorized person, these records are stored in lockable file cabinets, lockable desk drawers, and/or in secured rooms.

Retention and disposal:

Records are reviewed annually, documents are updated, and irrelevant documents destroyed. No copies of records are retained in this system after the original or copies of the same records have been purged from the Official Personnel Folders. When an employee leaves the agency through transfer or other separation, the records in this system are immediately forwarded to the office maintaining the Official Personnel Folder. There the records are screened to ensure that there are no records that should be permanently filed in the Official Personnel Folder. The records in this system are then destroyed.

System manager(s) and address:

Administrative officers in NARA field facilities and all NARA supervisors maintaining employee related files. The addresses of Administrative officers and NARA supervisors are listed in the appendix following the NARA Notices.

Notification procedure:

Information about whether an individual is a part of this system of records may be obtained from the supervisors at the appropriate repository where the individuals have records. If not known, general inquiries should be made to the appropriate Head of the Offices or Staffs. Their addresses are listed in the appendix following the NARA Notices.

Record access procedures:

Requests from current NARA employees to gain access to information pertaining to them should be directed to their supervisor or to their personnel officer at the appropriate address listed in the appendix following the NARA Notices, or to the Director, Personnel Services Division at the address noted above, whichever is applicable. Former NARA employees should direct requests to gain access to information pertaining to them to the appropriate administrative officer at the address listed in the appendix. For identification requirements refer to the agency regulations as outlined in 36 CFR part 1202.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

The individuals themselves, other employees, supervisors, personnel records, and third parties submitting indebtedness complaints.

NARA 23

System name:

Investigation Case Files.

Security classification:

Some of the material contained in the system has been classified in the interests of the national security pursuant to Executive Order 12356.

System location:

Investigative case files are maintained by the office conducting the investigation. There are three locations for this system: The Administrative Services Division (NAS) and the Legal Services Staff (NSL) at the National Archives Building, and the Inspector General (NG) at 601 D Street, NW., Washington, DC. Mailing address: National Archives and Records Administration, Washington, DC, 20408.

Categories of individuals in the system:

Individuals covered by the system are employees, applicants for employment, and former employees of NARA and advisory committee members. Also included are researchers, employees of contractors performing custodial or guard services in buildings under NARA jurisdiction, individuals who have been the source of a complaint or an allegation that a crime has taken place, witnesses having information or evidence concerning an investigation and suspects in criminal, administrative, or civil actions.

Categories of records in the system:

Investigative files contain information such as name, date and place of birth, experience, and investigatory material.

Authority for maintenance of the system:

5 U.S.C. App. Section 2 et seq.; Executive Order 10450; Executive Order 11478; Executive Order 11246; Executive Order 12356; and 40 U.S.C. 276a through a-7, 276c, 318(a) through (d), and 327 through 331.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records are used to make determinations resulting from authorized investigations and to document such investigations. The routine use statements A, B, C, and G, described in the appendix following the NARA Notices, apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in files and file folders.

Retrievability:

Records are retrieved by name from files that are indexed alphabetically and filed numerically by case number or location and incident.

Safeguards:

These records are maintained in lockable cabinets in rooms that are secured at the close of the business day, in guarded buildings, with access limited to authorized personnel.

System manager(s) and address:

The system managers are the Director of Administrative Services (NAS) and the Director, Legal Services Staff (NSL) at the National Archives Building, and the Inspector General (NG) at 601 D Street, NW., Washington, DC. Mailing address: National Archives and Records Administration, (followed by the appropriate mail routing code in parentheses), Washington, DC 20408.

Notification procedure:

Inquiries made by individuals as to whether the system contains a record pertaining to themselves should be addressed to the appropriate system manager at the addresses and locations listed above.

Record access procedures:

Requests from individuals for access to records should be addressed to the Director of Administrative Services (NAS), the Director, Legal Services Staff (NSL) or the Inspector General, as appropriate. Requests should include full name (maiden name where appropriate), address, and date and place of birth. Only general inquiries may be made by phone.

Contesting record procedures:

NARA rules for contesting the contents and appealing intitial determinations are found in 36 CFR part 1202.

Record source categories:

Individuals, employees, informants, law enforcement agencies, other government agencies, intelligence sources, employers, references, co-workers, neighbors, and educational institutions.

Systems exempted from certain provisions of the act:

In accordance with 5 U.S.C. 552a (k)(1), (k)(2), and (k)(5), this system of records is exempt from subsections (c)(3); (d); (e)(1); (E)(4) (G), (H), and (I); and (f) of the Privacy Act of 1974. The system is exempt:

a. To the extent that the system consists of investigatory material compiled for law enforcement purposes, however, if any individual is denied any right, privilege, or benefit to which the individual would otherwise be eligible as a result of the maintenance of such material, such material shall be provided to such individual, except to the extent that the disclosure of such material would reveal the identity of a person who furnished information to the Government under an express promise that the identity of the person would be held in confidence, or, prior to the effective date of the Act, under an implied promise that the identity of the person would be held in confidence; and

b. To the extent the system of invetigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified material, but only to the extent that the disclosure of such material would reveal the identity of a person who furnished information to the Government under an express promise that the identity of the person would be held in confidence, or, prior to the effective date of the Act, under an implied promise that the identity of the person would be held in confidence.

This system has been exempted to maintain the efficacy and integrity of lawful investigations conducted pursuant to the responsibilities of the Administrative Services Division, the Legal Services Staff and the Inspector General in the areas of law enforcement, Federal employment, Government contracts, and access to security classified information.

NARA 24

System name:

Personnel Security Files.

Security classification:

Some of the material contained in the system has been classified in the interests of the national security pursuant to Executive Order 12356.

System location:

Personnel security files are maintained in the Personnel Services Division (NAP), 601 D Street, NW., Washington, DC. Records relating to violations of information security regulations are maintained by the Administrative Services Division (NAS), National Archives Building, 7th and Pennsylvania Avenue, NW., Washington, DC.

Categories of individuals covered by the sysem:

Individuals covered by the system are employees, applicants for employment, and former employees of NARA. Also included are researchers, experts or consultants, and employees of contractors performing services under NARA jurisdiction.

Categories of records in the system:

Personnel security files contain information such as name, date and place of birth, address, social security number, education, occupation, experience, and investigatory material. Information security files contain records of security violations which may include employees' names and positions.

Authority for maintenance of the system:

Executive Order 10450, as amended; Executive Order 12356; 31 U.S.C. 686; and 40 U.S.C. 318 (a) through (d).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records in this system of records are used as a basis for issuance of security and ADP clearance and for recommending administrative action against employees found to be in violation of NARA information security regulations. The routine use statements A and F, described in the appendix following the NARA notices, also apply to this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders and microfiche in cabinets.

Retrievability:

Paper records are retrieved manually by name from files that are indexed alphabetically and filed numerically by location and incident. Microfiche records are filed alphabetically or by social security number.

Safeguards:

Records are stored in locked, alarmed room and/or three-way combination dial safes with access limited to authorized employees. Information is released only to officials on a need-to-know basis.

Retention and disposal:

Disposition of these records is in accordance with the NARA Records Maintenance and Disposition Manual.

System manager(s) and address:

The official responsible for the personnel security files is the Director of Personnel Services (NAP), 601 D Street, NW., Washington, DC (Mailing address: National Archives and Records Administration (NAP), Washington, DC 20408). The official responsible for files relating to violations of information security regulations is the Director of Administrative Services (NAS), 7th and Pennsylvania Avenue, NW., Washington, DC.

Notification procedure:

Inquiries by individuals as to whether the system contains a record pertaining to themselves should be addressed to the applicable system manager.

Record access procedures:

Requests from individuals for access to records should be addressed to the applicable system manager and should include full name (maiden name where appropriate), address, and date and place of birth. Only general inquiries may be made by telephone.

Contesting record procedures:

NARA rules for contesting the contents and appealing initial determinations are found in 36 CFR part 1202.

Record source categories:

Individuals, employees, informants, law enforcement agencies, other Government agencies, employees references, co-workers, neighbors, educational institutions, and intelligence sources.

Systems exempted from certain provisions of the act:

In accordance with 5 U.S.C. 552a (k)(1), (k)(2), and (k)(5), the personnel security case files in this system of records are exempt from subsections (c)(3); (d); (e)(1); (e)(4) (G), (H), and (I); and (f) of the Privacy Act of 1974, as amended. The system is exempt:

a. To the extent that the system consists of investigatory material compiled for law enforcement purposes; however, if any individual is denied any right, privilege, or benefit to which the individual would otherwise be eligible as a result of the maintenance of such material, such material shall be provided to such individual, except to the extent that the disclosure of such material would reveal the identity of a person who furnished information to the Government under an express promise that the identity of the person would be held in confidence, or, prior to the effective date of the Act, under an implied promise that the identity of the person would be held in confidence; and

b. To the extent the system consists of investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified material, but only to the extent that the disclosure of such material would reveal the indentity of a person who furnished information to the Government under an express promise that the identity of the person would be held in confidence, or, prior to the effective date of the Act, under an implied promise that the identity of the person would be held in confidence.

This system has been exempted to maintain the efficacy and integrity of lawful investigations conducted pursuant to the Administrative Services Divisaon's and the Personnel Services Division's responsibilities in the areas of Federal employment, Government contracts, and access to security classified information.

Appendix

The following routine use statements will apply to National Archives and Records Administration notices where indicated:

A. Routine Use-Law Enforcement: In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records, may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

B. Routine Use-Disclosure When Requesting Information: A record from this system of records may be disclosed as a routine use to a Federal, State, or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary, to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

C. Routine Use-Disclosure of Requested Information: A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, conducting a security or suitability investigation, classifying a job, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

D. Routine Use-Grievance, Complaint, Appeal: A record from this system of records may be disclosed to an authorized appeal or grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Office of Personnel Management in accordance with its responsibility for evaluation of Federal personnel management. To the extent that official personnel records in the custody of NARA are covered within the system of records published by the Office of Personnel Management as Governmentwide records, those records will be considered as a part of that Governmentwide system. Other official personnel records covered by notices published by NARA and considered to be separate systems of records may be transferred to the Office of Personnel Management in accordance with official personnel programs and activities as a routine use.

E. Routine Use-Congressional Inquiries: A record from this system of records may be disclosed as a routine use to a Member of Congress or to a Congressional staff member in response to an inquiry of the Congressional office made at the request of the individual about whom the record is maintained.

F. Routine Use-NARA Agents: A record from this system of records may be disclosed as a routine use to an expert, consultant, or a contractor of NARA to the extent necessary for them to assist NARA in the performance of its duties.

G. Routine Use-Department of Justice/Courts: A record from this system of records may be disclosed to the Department of Justice or in a proceeding before a court or adjudicative body before which NARA is authorized to appear, when: (a) NARA, or any component thereof; or, (b) any employee of NARA in his or her official capacity; or, (c) any employee of NARA in his or her individual capacity where the Department of Justice or NARA has agreed to represent the employee; or (d) the United States, where NARA determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice or by NARA before a court or adjudicative body is deemed by NARA to be relevant and necessary to the litigation, provided, however, that in each case, NARA determines that disclosure of the records is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

H. Routine Use-MSPB, FLRA, and EEOC: Information from this system of records may be disclosed to officials of the Merit Systems Protection Board or Federal Labor Authority, or the Equal Employment Opportunity Commission when requested in performance of their authorized duties.

Appendix—Addresses of Locations

Washington, DC Metropolitan Area Facilities

National Archives Building, 7th and Pennsylvania Avenue, NW., Washington, DC. Mailing Address: National Archives and Records Administration, Washington, DC 20408.

National Audiovisual Center, 8700 Edgeworth Drive, Capitol Heights, MD 20743-3701.

Office of the Federal Register, 1100 L Street, NW., Washington, DC. Mailing Address: National Archives and Records Administration (NF), Washington, DC 20408.

Office of Federal Records Centers, 1730 K Street, NW., Washington, DC. Mailing Address: National Archives and Records Administration (NC), Washington, DC 20408.

Office of Records Administration, 601 D Street, NW., Washington, DC. Mailing Address: National Archives and Records Administration (NI), Washington, DC 20408.

Personnel Services Division, 601 D Street, NW., Washington, DC. Mailing Address: National Archives and Records Administration (NAP), Washington, DC 20408.

Pickett Street Annex. 841-885 South Pickett Street, Alexandria, VA. Mailing Address: National Archives and Records Administration, Washington, DC 20408.

Washington National Records Center. 4205 Suitland Road, Suitland, MD. Mailing Address: Washington National Records Center, Washington, DC 20409.

Presidential Libraries

Herbert Hoover Library, Parkside Drive, West Branch, IA 52358.

Franklin D. Roosevelt Library, 259 Albany Road, Hyde Park, NY 12538.

Harry S. Truman Library, 1200 North McCoy, Independence, MO 64050.

Dwight D. Eisenhower Library, Southeast Fourth Street, Abilene, KS 67410.

John F. Kennedy Library, Columbia Point, Boston, MA 02125.

Lyndon Baines Johnson Library, 2313 Red River Street, Austin, TX 78705.

Gerald R. Ford Library, 1000 Beal Avenue, Ann Arbor, MI 48109-2114.

Gerald R. Ford Museum, 303 Pearl Street, NW., Grand Rapids, MI 49504.

Jimmy Carter Library, One Copenhill Avenue, Atlanta, GA 30307.

Nixon Presidential Materials Project Staff, 845 South Pickett Street, Alexandria, VA. Mailing Address: National Archives and Records Administration (NLNP), Washington, DC 20408.

Reagan Presidential Materials Staff, 9055 Exposition Drive, Los Angeles, CA 90034.

Federal Records Centers and Regional Archives at the Same Location

380 Trapelo Road, Waltham, MA 02154.

Building 22, Military Ocean Terminal, Bayonne, NJ 07002-5388.

1557 St. Joseph Avenue, East Point, GA 30344.

7358 South Pulaski Road, Chicago, IL 60629.

2312 East Bannister Road, Kansas City, MO 64131.

501 West Felix Street, (Mailing address: P.O. Box 6216), Fort Worth, TX 76115.

Denver Federal Center, Building 48 (Mailing address: P.O. Box 25307), Denver, CO 80225.

1000 Commodore Drive, San Bruno, CA 94066.

24000 Avila Road, (Mailing address: P.O. Box 6719), Laguna Niguel, CA 92677-6719.

6125 Sand Point Way, NE., Seattle, WA 98115.

Regional Archives Not Located with Federal Records Center

9th and Market Streets, Room 1350, Philadelphia, PA 19107.

Federal Records Centers Not Located with Regional Archives

5000 Wissahickon Avenue, Philadelphia, PA 19144.

3150 Springboro Road, Dayton, OH 45439.

National Personnel Records Center, Civilian Personnel Records, 111 Winnebago Street, St. Louis, MO 63118.

National Personnel Records Center, Military Personnel Records, 9700 Page Boulevard, St. Louis, MO 63132.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

36 CFR PART 1202—REGULATIONS IMPLEMENTING THE PRIVACY ACT OF 1974

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Authority: 44 U.S.C. 2104(a); 5 U.S.C. 552a.

Source: 50 FR 27197, July 1, 1985, unless otherwise noted.

§ 1202.1 Scope of part.

This part sets forth policies and procedures concerning the collection, use, and dissemination of records maintained by NARA which are subject to the provisions of the Privacy Act of 1974, 5 U.S.C. 552a. These policies and procedures govern only those records as defined in § 1202.4. Policies and procedures governing the disclosure and availability of NARA administrative records in general are in part 1250 of this chapter. This part also covers exemptions from disclosure of personal information; procedures for guidance of subject individuals in obtaining information and inspecting and disagreeing with the content of records; accounting for disclosures of information; special requirements for medical records; and fees.

§ 1202.2 Purpose.

This part implements the provisions of 5 U.S.C. 552a, popularly known as the "Privacy Act of 1974" (hereinafter referred to as the Act). This part prescribes procedures for notifying an individual of NARA systems of records which may contain a record pertaining to him or her, procedures for gaining access and contesting the contents of such records, and other procedures for carrying out the provisions of the Act.

§ 1202.4 Definitions.

For the purposes of this part 1202:

"Access" means a transfer of a record, a copy of a record, or the information in a record to the subject individual, or the review of a record by the subject individual.

"Agency" means agency as defined in 5 U.S.C. 552(e).

"Disclosure" means a transfer of a record, a copy of a record, or the information contained in a record to a recipient other than the subject individual, or the review of a record by someone other than the subject individual.

"Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence.

"Maintain" includes maintain, collect, use, and disseminate.

"NARA Privacy Act appeal official" means the Deputy Archivist of the United States for appeals of denials of access to or amendment of records maintained in a system of records, except where the system manager is the Inspector General or the Archivist of the United States. The term means the Archivist of the United States for appeals of denial of access to or amendment of records in systems of records maintained by the Inspector General.

"Record" means any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his or her education, financial transactions, medical history and criminal or employment history and that contains his or her name or an identifying number, symbol, or other identifying particular assigned to the individual, such as a fingerprint, voiceprint, or photograph.

"Routine use" means, with respect to the disclosure of a record, the use of that record for a purpose which is compatible with the purpose for which it was collected.

"Solicitation" means a request by a NARA officer or employee that an individual provide information about himself or herself.

"Statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided by 13 U.S.C. 8.

"Subject individual" means the individual named or discussed in a record or the individual to whom a record otherwise pertains.

"System manager" means the NARA employee who is responsible for the maintenance of a system of records and for the collection, use, and dissemination of information therein.

"System of records" means a group of any records under the control of an agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifier assigned to that individual.

[50 FR 27197, July 1, 1985, as amended at 54 FR 32067, Aug. 4, 1989]

Subpart A—General Policy

§ 1202.10 Collection and use.

(a) *General.* Any information used in whole or in part in making a determination about an individual's rights, benefits, or privileges under NARA programs will be collected directly from the subject individual to the extent practicable. The system manager also shall ensure that information collected is used only in conformance with the provisions of the Act and these regulations.

(b) *Solicitation of information.* System managers shall ensure that at the time information is solicited the solicited individual is informed of the authority for collecting that information, whether providing the information is mandatory or voluntary, the purposes for which the information will be used, the routine uses of the information, and the effects on the individual, if any, of not providing the information. The Assistant

Archivist for Management and Administration shall ensure that forms used to solicit information are in compliance with the Act and these regulations.

(c) *Solicitation of social security number.* Before a NARA employee requests an individual to disclose his or her social security number, the officer or employee shall ensure that either:

(1) The disclosure is required by Federal law, or;

(2) The disclosure was required under a Federal law or regulation adopted before January 1, 1975, to verify the identity of an individual, and the social security number will become a part of a system of records in existence and operating before January 1, 1975.

If solicitation of the social security number is authorized under paragraph (c) (1) or (2) of this section, the NARA employee who requests an individual to disclose his or her social security number shall first inform that individual whether that disclosure is mandatory or voluntary, by what statutory or other authority the number is solicited, and the uses that will be made of it.

(d) *Soliciting information from third parties.* A NARA employee shall inform third parties who are requested to provide information about another individual of the purposes for which the information will be used.

§ 1202.12 Standards of accuracy.

The system manager shall ensure that all records which are used by NARA to make a determination about any individual are maintained with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to ensure fairness to the individual.

§ 1202.14 Rules of conduct.

All NARA employees involved in the design, development, operation, or maintenance of any system of records, or in maintaining any record, shall review the provisions of 5 U.S.C. 552a and the regulations in this part, and shall conduct himself or herself in accordance with the rules of conduct concerning the protection of personal information in the NARA Standards of Conduct.

§ 1202.16 Safeguarding systems of records.

The system manager shall ensure that appropriate administrative, technical, and physical safeguards are established to ensure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom information is maintained. Personnel information contained in both manual and automated systems of records shall be protected by implementing the following safeguards:

(a) Official personnel folders, authorized personnel operating or work folders, and other records of personnel actions effected during a NARA employee's Federal service or affecting the employee's status and service, including information on experience, education, training, special qualifications and skills, performance appraisals, and conduct, shall be stored in a lockable metal filing cabinet when not in use by an authorized person. A system manager may employ an alternative storage system providing that it furnishes an equivalent degree of physical security as storage in a lockable metal filing cabinet.

(b) System managers, at their discretion, may designate additional records of unusual sensitivity which require safeguards similar to those described in paragraph (a) of this section.

(c) System managers shall permit access to and use of automated or manual personnel records only to persons whose official duties require such access, or to subject individuals or their representatives as provided by this part.

§ 1202.18 Inconsistent issuances of NARA superseded.

Any policies and procedures in any NARA issuance which are inconsistent with the policies and procedures in this part are superseded to the extent of that inconsistency.

§ 1202.20 Records of other agencies.

(a) *Other agencies' records managed and administered by NARA.* Rules governing the maintenance of systems of records of agencies other than NARA which are located in the National Archives of the United States and Federal Records Centers are in Subchapter C of this chapter.

(b) *Current records of other agencies.* If NARA receives a request for access to records which are the primary responsibility of another agency, but which are maintained by or in the temporary possession of NARA on behalf of that agency, NARA shall refer the request to the agency concerned for appropriate action. NARA shall advise the requester that the request has been forwarded to the responsible agency. Records in the custody of NARA which are the primary responsibility of the U.S. Office of Personnel Management (OPM) are governed by the OPM rules promulgated pursuant to the Act.

§ 1202.22 Subpoenas and other legal demands.

Access to NARA systems of records by subpoena or other legal process shall be in accordance with the provisions of part 1250 of this chapter for administrative records and part 1254 of this chapter for accessioned records, FRC records, and donated historical materials.

Subpart B—Disclosure of Records

§ 1202.30 Conditions of disclosure.

No NARA employee may disclose any record to any person or to another agency without the express written consent of the subject individual unless the disclosure is:

(a) To NARA employees who have a need for the information in the official performance of their duties;

(b) Required by the provisions of the Freedom of Information Act;

(c) For a routine use as published in a notice in the **Federal Register;**

(d) To the Bureau of the Census for uses pursuant to Title 13, United States Code;

(e) To a recipient who has provided NARA with advance adequate written assurance that the record will be used solely as a statistical research or reporting record. (The record shall be transferred in a form that is not individually identifiable.) The written statement shall include as a minimum:

(1) A statement of the purpose for requesting the records; and

(2) Certification that the records will be used only for statistical purposes; these written statements shall be maintained as records. In addition to deleting personal identifying information from records released for statistical purposes, the system manager shall ensure that the identity of the individual cannot reasonably be deduced by combining various statistical records.);

(f) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government;

(g) To another agency or instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity, if the activity is authorized by law, and if the head of the agency or instrumentality or his or her other designated representative has made a written request to NARA specifying the particular portion desired and the law enforcement activity for which the record is sought;

(h) To a person showing compelling circumstances affecting the health or safety of an individual, not necessarily the individual to whom the record pertains (upon such disclosure, a notification must be sent to the last known address of the subject individual);

(i) To either House of Congress or to a subcommittee or committee (joint or of either House, to the extent that the subject matter falls within its jurisdiction);

(j) To the Comptroller General or any of his authorized representatives in the course of the performance of the duties of the General Accounting Office;

(k) To a consumer reporting agency in accordance with section 3711(f) of title 31; or

(l) Pursuant to the order of a court of competent jurisdiction.

§ 1202.32 Procedures for disclosure.

(a) Upon receipt of a request for disclosure, the system manager shall verify the right of the requester to obtain disclosure pursuant to § 1202.30. Upon verification, the system manager shall make the requested records available.

(b) If the system manager determines that the disclosure is not permitted under § 1202.30, he or she shall deny the request in writing and shall inform the requester of the right to submit a request for review and final determination to the Director, Legal Services Staff, National Archives (NSL), Washington DC 20408.

§ 1202.34 Accounting of disclosures.

(a) Except for disclosures made pursuant to § 1202.30 (a) and (b), an accurate accounting of each disclosure shall be made and retained for 5 years after the disclosure or for the life of the record, whichever is longer. The accounting shall include the date, nature, and purpose of each disclosure, and the name and address of the person or agency to whom the disclosure is made.

(b) The system manager also shall maintain in conjunction with the accounting of disclosures:

(1) A full statement of the justification for the disclosures;

(2) All documentation surrounding disclosure of a record for statistical or law enforcement purposes; and

(3) Evidence of written consent by the subject individual to a disclosure.

(c) Except for the accounting of disclosures made to agencies or instrumentalities in law enforcement activities in accordance with § 1202.30 or of disclosures made from exempt systems (see subpart F of this part), the accounting of disclosures shall be made available to the individual upon request. Procedures for requesting access to the accounting are in subpart C of this part.

Subpart C—Individual Access to Records

§ 1202.40 Forms of requests.

(a) Individuals seeking access to their records or to any information pertaining to themselves which is contained in a system of records should notify the system manager or applicable NARA official at the address indicated in the **Federal Register** notice describing the pertinent system of records.

(b) The request shall be in writing and shall bear the legend "Privacy Act Request" both on the request letter and on the envelope. The request letter shall contain:

(1) The complete name and identifying number of the NARA system as published in the **Federal Register**;

(2) The full name and address of the subject individual;

(3) A brief description of the nature, time, place, and circumstances of the individual's association with NARA; and

(4) Any other information which the individual believes would help the system manager to determine whether the information about the individual is included in the system of records.

The system manager or other NARA official shall answer or acknowledge the request within 10 workdays of its receipt by NARA.

(c) System managers at their discretion, may accept oral requests for access to a NARA system of records, subject to verification of identity.

§ 1202.42 Special requirements for medical records.

(a) A system manager who receives a request from an individual for access to those official medical records which belong to the Office of Personnel Management and are described in Chapter 339 of the Federal Personnel Manual (medical records which are otherwise filed in the Official Personnel Folder), shall refer the pertinent system of records to a Federal Medical Officer for review and determination in accordance with this section. If no Federal medical officer is available to make the determination required by this section, the system manager shall refer the request and the medical reports concerned to the Office of Personnel Management for a determination.

(b) If, in the opinion of a Federal Medical Officer, medical records requested by the subject individual indicate a condition about which a prudent physician would hesitate to inform a person suffering from such a condition of its exact nature and probable outcome, the system manager shall not release the medical information to the subject individual nor to any person other than a physician designated in writing by the subject individual, his or her guardian, or conservator.

(c) If, in the opinion of a Federal medical officer, the medical information does not indicate the presence of any condition which would cause a prudent physician to hesitate to inform a person suffering from such a condition of its exact nature and probable outcome, the system manager shall release the information to the subject individual or to any person, firm, or organization which the individual authorizes in writing to receive it.

§ 1202.44 Granting access.

(a) Upon receipt of a request for access to non-exempt records, the system manager shall make such records available to the subject individual or shall acknowledge the request within 10 workdays of its receipt by NARA. The acknowledgment shall indicate when the system manager will make the records available.

(b) If the system manager anticipates more than a 10-day delay in making a record available, he or she also shall include in the acknowledgment specific reasons for the delay.

(c) If a subject individual's request for access does not contain sufficient information to permit the system manager to locate the records, the system manager shall request additional information from the individual and shall have 10 workdays following receipt of the additional information in which to make the records available or to acknowledge receipt of the request and to indicate when the records will be available.

(d) Records will be made available for authorized access during normal business hours at the NARA offices where the records are located. Requesters should be prepared to identify themselves by signature (i.e., to sign the access log on the date of access and to produce other identification verifying the signature).

(e) Upon request, a system manager shall permit a subject individual to examine the original of a non-exempt record, shall provide the individual with a copy of the record, or both. Fees shall be charged only for copies requested by the individual and not for copies provided to the individual for the convenience of NARA.

(f) Subject individuals may request to pick up a record in person or to receive it by mail, directed to the name and address provided by the individuals in their request. A system manager shall not make a record available to a third party for delivery to the subject individual, except for medical records as outlined in § 1202.42.

(g) Subject individuals who wish to have a person of their choosing review, accompany them in reviewing, or obtain a copy of a record must, prior to the disclosure of their record, sign a statement authorizing the disclosure. The system manager shall maintain this statement with the record.

(h) The procedure for access to an accounting of disclosures is identical to the procedure for access to a record as set forth in this section.

§ 1202.46 Denials of access.

(a) A system manager may deny a subject individual access to his or her record only on the grounds that NARA has published rules in the **Federal Register** exempting the pertinent system of records from the access requirement. Exempt systems of records are described in subpart F of this part.

(b) Upon receipt of a request for access to a record which the system manager believes is contained within an exempt system of records, he or she shall forward the request to the Assistant Archivist for Management and Administration. The system manager shall append to the request an explanation of the determination that the requested record is contained within an exempt system of records and a recommendation that the request be denied or granted.

(c) If the system manager is the Assistant Archivist for Management and Administration, that person shall retain the responsibility for denying or granting the request.

(d) If the system manager is the Inspector General, that person shall retain the responsibility for denying or granting the request.

(e) The Assistant Archivist for Management and Administration shall, in consultation with legal counsel and such other officials as deemed appropriate, determine if the requested record is in fact contained within an exempt system of records and:

(1) If the record is not contained within an exempt system of records, the Assistant Archivist for Management and Administration shall notify the system manager to grant the request in accordance with § 1202.44, or

(2) If the record is contained within an exempt system of records, the Assistant Archivist for Management and Administration shall:

(i) Notify the requester that the request is denied, including a statement justifying the denial and advising the requester of the right to judicial review of that decision as provided in § 1202.74; or

(ii) Notify the system manager to make the record available to the requester in accordance with § 1202.44, notwithstanding the inclusion of the record within an exempt system of records.

[50 FR 27179, July 1, 1985, as amended at 54 FR 32067, Aug. 4, 1989]

§ 1202.48 Appeal of denial of access within NARA.

(a) Requesters denied access in whole or part to records pertaining to them, exclusive of those records for which the system manager is the Archivist of the United States, may file with NARA an appeal of that denial.

(1) Appeals involving records for which the Inspector General is the system manager should be addressed to NARA Privacy Act Appeal Official (N), National Archives and Records Administration, Washington, DC 20408.

(2) All other appeals should be addressed to NARA Privacy Act Appeal Official (ND), National Archives and Records Administration, Washington, DC 20408.

(b) Each appeal to the NARA Privacy Act appeal official shall be in writing. The appeal should bear the legend "Privacy Act—Access Appeal," on both the face of the letter and the envelope.

(c) Upon receipt of an appeal, the NARA Privacy Act appeal official shall consult with the system manager, the official who made the denial, legal counsel, and such other officials as may be appropriate. If the NARA Privacy Act appeal official, in consultation with these officials, determines that the request for access should be granted because the subject records are not exempt, the NARA Privacy Act appeal official shall immediately either instruct the system manager in writing to grant access to the record in accordance with § 1202.44 or shall grant access and shall notify the requester of that action.

(d) If the NARA Privacy Act appeal official, in consultation with the officials specified in paragraph (c) of this section, determines that the appeal should be rejected, the NARA Privacy Act appeal official immediately shall notify the requester in writing of that determination. This action shall constitute NARA's final determination on the request for access to the record and shall include:

(1) The reason for the rejection of the appeal; and

(2) Notice of the requester's right to seek judicial review of NARA's final determination, as provided in § 1202.74.

(e) The final NARA determination will be made no later than 30 workdays from the date on which the appeal is received by the NARA Privacy Act appeal official. The NARA Privacy Act appeal official may extend this time limit by notifying the requester in writing before the expiration of the 30 workdays. The NARA Privacy Act appeal official's notification shall include an explanation of the reasons for the extension of time.

(f) Denial of access by the Archivist to records for which the Archivist is the system manager shall constitute the NARA final determination in such instances. Requesters shall be given notice of their right to seek judicial review of the determination, as provided in § 1202.74.

[50 FR 27179, July 1, 1985, as amended at 54 FR 32068, Aug. 4, 1989]

§ 1202.50 Records available at a fee.

The system manager shall provide one electrostatic copy of a record to a requester at a fee of $0.20 per page if NARA makes the copy or $0.10 per page if the requester makes the copy on a NARA self-service copier.

[53 FR 12150, Apr. 13, 1988]

§ 1202.52 Prepayment of fees over $25.

If the system manager determines that the estimated total fee is likely to exceed $25, the system manager shall notify the individual that the estimated fee must be prepaid prior to NARA's making the records available. NARA will remit any excess amount paid by the individual or bill the individual for an additional amount if there is a variation between the final fee charged and the amount prepaid.

§ 1202.54 Form of payment.

Payment shall be by check or money order payable to the National Archives and Records Administration and shall be addressed to the system manager.

[53 FR 12150, Apr. 13, 1988]

Subpart D—Requests To Amend Records

§ 1202.60 Submission of requests to amend records.

Subject individuals who desire to amend any record containing personal information about themselves should write to the NARA system manager specified in the pertinent **Federal**

Register notice concerning NARA's systems of records. A current NARA employee who desires to amend personnel records should write to the Director of Personnel, National Archives (NAP), Washington, DC 20408. Each request shall include evidence of and justification for the need to amend the pertinent record. Each request should bear the legend "Privacy Act—Request To Amend Record" prominently marked on both the face of the request letter and the envelope.

§ 1202.62 Review of requests to amend records.

(a) The system manager shall acknowledge receipt of a request to amend a record within 10 workdays. If possible, the acknowledgment should include the system manager's determination either to amend the record or to deny the request to amend as provided in § 1202.66.

(b) When reviewing a record in response to a request to amend, the system manager shall assess the accuracy, relevance, timeliness, and completeness of the existing record in light of the proposed amendment. The system manager shall determine whether the amendment is justified. With respect to a request to delete information, the system manager also shall review the request and existing record to determine whether the information is relevant and necessary to accomplish an agency purpose required to be accomplished by law or Executive Order.

§ 1202.64 Approval of requests to amend.

If the system manager determines that amendment of a record is proper in accordance with the request to amend, he or she promptly shall make the necessary amendment to the record and shall send a copy of the amended record to the subject individual. Where an accounting of disclosure has been maintained, the system manager shall advise all previous recipients of the record of the fact that an amendment has been made and give the substance of the amendment. Where practicable, the system manager shall send a copy of the amended record to previous recipients. The system manager shall advise the Assistant Archivist for Management and Administration that a request to amend has been approved.

§ 1202.66 Denial of requests to amend.

(a) Except where the system manager is the Inspector General, if the system manager determines that an amendment of a record is improper or that the record should be amended in a manner other than that requested by an individual, the request to amend and the system manager's determinations and recommendations shall be referred to the Assistant Archivist for Management and Administration. If the system manager is the Inspector General, that person shall retain the responsibility for granting or denying the request to amend.

(b) If the Assistant Archivist for Management and Administration, after reviewing the request to amend a record, determines to amend the record in accordance with the request, the Assistant Archivist promptly shall return the request to the system manager with instructions to make the requested amendments in accordance with § 1202.64.

(c) If the Assistant Archivist for Management and Administration, after reviewing the request to amend a record, determines not to amend the record in accordance with the request, the Assistant Archivist promptly shall advise the requester in writing of the decision. The denial letter shall state the reasons for the denial of the request to amend; include proposed alternative amendments, if appropriate; state the requester's right to appeal the denial of the request to amend; and state the procedure for appealing.

[50 FR 27179, July 1, 1985, as amended at 54 FR 32067, Aug. 4, 1989]

§ 1202.68 Agreement to alternative amendments.

If the denial of a request to amend a record includes proposed alternative amendments, and if the requester agrees to accept them, the requester shall notify the NARA official who signed the denial letter. That official shall immediately instruct the system manager to make the necessary amendments in accordance with § 1202.64.

[54 FR 32068, Aug. 4, 1989]

§ 1202.70 Appeal of denial of request to amend a record.

(a) A requester who disagrees with a denial of a request to amend a record may file an appeal of that denial.

(1) If the denial was signed by the Assistant Archivist for Management and Administration, the requester shall address the appeal to the NARA Privacy Act Appeal Official (ND), Washington, DSC 20408.

(2) If the denial was signed by the Inspector General, the requester shall address the appeal to the NARA Privacy Act Appeal Official (N), Washington, DC 20408.

(3) If the requester is an employee of NARA and the denial to amend involves a record maintained in the employee's Official Personnel Folder, as described in Chapter 293 of the Federal Personnel Manual, the appeal should be addressed to the Assistant Director, Workforce Information Office, Compliance and Investigations Group, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415.

(b) Each appeal to the NARA Privacy Act appeal official shall be in writing and must be received no later than 30 calendar days from the date of the requester's receipt of a denial of a request to amend a record. The appeal shall bear the legend "Privacy Act—Appeal," both on the face of the letter and the envelope.

(c) Upon receipt of an appeal, the NARA Privacy Act appeal official shall consult with the system manager, the official who made the denial, legal counsel, and such other officials as may be appropriate. If the NARA Privacy Act appeal official, in consultation with these officials, determines that the record should be amended as requested, he or she immediately shall instruct the system manager to amend the record in accordance with § 1202.64 and shall notify the requester of that action.

(d) If the NARA Privacy Act appeal official, in consultation with the officials specified in paragraph (c) of this section, determines that the appeal should be rejected, the NARA Privacy Act appeal official immediately shall notify the requester in writing of that determination. This action shall constitute the NARA final determination on the request to amend the record and shall include:

(1) The reasons for the rejection of the appeal;

(2) Proposed alternative amendments, if appropriate, which the requester subsequently may accept in accordance with § 1202.68;

(3) Notice of the requester's right to file a Statement of Disagreement for distribution in accordance with § 1202.72; and

(4) Notice of the requester's right to seek judicial review of the NARA final determination, as provided in § 1202.74.

(e) The NARA final determination shall be made no later than 30 workdays from the date on which the appeal is received by the NARA Privacy Act appeal official. In extraordinary circumstances, the NARA Privacy Act appeal official may extend this time limit by notifying the requester in writing before the expiration of the 30 workdays. The NARA Privacy Act appeal official's notification shall include a justification for the extension of time.

[50 FR 17179, July 1, 1985, as amended at 54 FR 32068, Aug. 4, 1989]

§ 1202.72 Statements of disagreement.

Upon receipt of a NARA final determination denying a request to amend a record, the requester may file a Statement of Disagreement with the appropriate system manager. The Statement of Disagreement shall include an explanation of why the requester believes the record to be inaccurate, irrelevant, untimely, or incomplete. The system manager shall maintain the Statement of Disagreement in conjunction with the pertinent record and shall include a copy of the Statement of Disagreement in any disclosure of the pertinent record. The system manager shall provide a copy of the Statement of Disagreement to any person or agency to whom the record has been disclosed only if the disclosure was subject to the accounting requirements of § 1202.34.

§ 1202.74 Judicial review.

Within 2 years of receipt of a NARA final determination as provided in § 1202.48 or § 1202.70, a requester may seek judicial review of that determination. A civil action must be filed in the Federal District Court in which the requester resides or has his or her principal place of business or in which the NARA records are situated, or in the District of Columbia.

Subpart E—Report on New Systems of Records and Alteration of Existing Systems

§ 1202.80 Reporting requirement.

(a) Prior to the establishment of a new NARA system of records or the alteration of an existing NARA system of records, the system manager shall notify the Assistant Archivist for Management and Administration of the proposed new system or alteration. The system manager shall include with the notification a complete description and justification for each system of records that the system manager proposes to establish or alter. If the Assistant Archivist for Management and Administration determines that the establishment or alteration of a system of records is in the best interest of the Government, the Assistant Archivist for Management and Administration will submit, no later than 60 calendar days prior to the establishment or alteration of a system of records, a report of the proposal to the President of the Senate, the Speaker of the House of Representatives, and the Director of the Office of Management and Budget for their evaluation of the probable or potential effect of the proposal on the privacy and other personal or property rights of individuals.

(b) The reports required by this regulation are exempt from reports control.

§ 1202.82 Federal Register notice of establishment of new system or alteration of existing system.

The NARA Assistant Archivist for Management and Administration shall publish in the **Federal Register** a notice of the proposed establishment or alteration of a system of records when:

(a) Notice is received that the Senate, the House of Representatives, and the Office of Management and Budget do not object to the establishment of a new system of records or to the alteration of an existing system of records, or

(b) No fewer than 30 calendar days have elapsed from the date of submission of the proposal to the Senate, the House of Representatives, and the Office of Management and Budget without receipt by NARA of an objection to the proposal.

§ 1202.84 Effective date of new systems of records or alteration of an existing system of records.

Systems of records proposed to be established or altered in accordance with this subpart shall be effective no sooner than 30 calendar days from the publication of the notice required by § 1202.82.

Subpart F—Exemptions

§ 1202.90 Specific exemptions.

(a) The following NARA systems of records are exempt from subsections (c)(3); (d); (e)(1); (e)(4) (G), (H), and (I); and (f) of the Privacy Act of 1974:

(1) Investigation Case Files, NARA–23.

(2) Personnel Security Case Files, NARA–24.

(b) These systems of records are exempt:

(1) To the extent that the systems consist of investigatory material compiled for law enforcement purposes; however, if any subject individual is denied any right, privilege, or benefit to which the individual would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to such individual, except to the extent that the disclosure of such material would reveal the indentity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence; and

(2) To the extent the systems of records consist of investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualification for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence.

(c) These NARA systems of records have been exempted to maintain the efficacy and integrity of investigations conducted pursuant to NARA's responsibilities in the areas of Federal employment, Government contracts, and access to security classified information.

Subpart G—Assistance and Referrals

§ 1202.100 Requests for assistance and referrals.

Requests for assistance and referral to the responsible system manager or other NARA employee charged with implementing these regulations should be made to the Assistant Archivist for Management and Administration, National Archives (NA), Washington, DC 20408.

NATIONAL CAPITAL PLANNING COMMISSION

Alphabetical Listing of Systems Names

Commission Members and Alternates—NCPC.
Mailing Lists—NCPC.
Payroll Records—NCPC.
Grievance Records—NCPC.

NCPC—1

System name: Commission Members and Alternates—NCPC.

System location: National Capital Planning Commission, 1325 G Street, NW, Washington, D.C. 20576.

Categories of individuals covered by the system: Past and present Commission Members and Alternates.

Categories of records in the system: Biographical information and information on the official Commission actions taken by a Commissioner or Alternate.

Authority for maintenance of the system: National Capital Planning Act of 1952, as amended (40 U.S.C. 71a(c)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix; also to assist in preparation of public relations materials and in responding to requests for biographical information from the public.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Name.

Safeguards: Stored in guarded building in locked files; released only pursuant to Freedom of Information Act or as needed in press releases.

Retention and disposal: Permanent, no disposal.

System manager(s) and address:

Associate Secretary
National Capital Planning Commission
1325 G Street, NW
Washington, D.C. 20576

Notification procedure: Same as above.

Record access procedures: Generally by submitting written request to the System Manager. A copy of the Commission's Privacy Act procedures will be sent upon request.

Contesting record procedures: Generally by submitting written request to the System Manager. A copy of the Commission's Privacy Act procedures will be sent upon request.

Record source categories: Individuals on whom records are maintained, press.

NCPC—2

System name: Mailing Lists—NCPC.

System location: National Capital Planning Commission, 1325 G Street, NW, Washington, D.C. 20576.

Categories of individuals covered by the system: Federal, State, and local government officials, neighborhood groups, and private citizens in the National Capital Region.

Categories of records in the system: Names and addresses of individuals and, where applicable, the organization, group, institution represented by the individual.

Authority for maintenance of the system: The National Capital Planning Act of 1952, as amended (40 U.S.C. 71a(c)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix; also to provide information on Commission policy, procedures and meeting agendas to interested parties and persons.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name.

Safeguards: Stored in guarded building in locked files; released only to authorized personnel such as clerical staff preparing mailings to those on the list.

Retention and disposal: At direction of those on list.

System manager(s) and address:

Associate Secretary
National Capital Planning Commission
1325 G Street, NW
Washington, D.C. 20576

Notification procedure: Same as above.

Record access procedures: Generally by submitting written request to the System Manager. A copy of the Commission's Privacy Act procedures will be sent upon request.

Contesting record procedures: Generally by submitting written request to the System Manager. A copy of the Commission's Privacy Act procedures will be sent upon request.

Record source categories: Individuals on whom records are maintained.

NCPC—3

System name: Payroll Records—NCPC.

System location: General Services Administration, Region 3, 7th and D Streets, SW, Washington, D.C. 20407; copies held by Commission. (GSA holds records for the Commission under Memorandum of Agreement).

Categories of individuals covered by the system: Commission employees.

Categories of records in the system: Varied payroll records including time and attendance cards, payment vouchers, comprehensive listings of employees, health benefits and Government life insurance records, requests for deductions, tax forms, W-2 forms, leave data, retirement records, notification of personnel actions.

Authority for maintenance of the system: Title 31, U.S.C. generally.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Preparation of salary checks and maintenance of leave records; records are also released to GAO for audits, to the IRS for investigations, to the Civil Service Commission (CSC) concerning pay, benefits, retirement deductions and other information necessary for the CSC to carry out its Government-wide personnel management functions. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. Routine uses of records maintained in this system shall include providing a copy of an employee's Department of the Treasury Form W-2, Wage and Tax Statement, to the State, city, or other local jurisdiction which is authorized to tax the employee's compensation. The record will be provided in accordance with a withholding agreement between the State, city or other local jurisdiction and the Department of the Treasury pursuant to 5 U.S.C. 5516, 5517, or 5520, or in the absence thereof, in response to a written request from an appropriate official of the taxing jurisdiction of the Assistant Executive Director (Administration), National Capital Planning Commission, 1325 G Street, NW, Washington, D.C. 20576. The request must include a copy of the applicable statute or ordinance authorizing the taxation of compensation and should indicate whether the authority of the jurisdiction to tax the employee is based on place of residence, place of employment, or both.

Pursuant to a withholding agreement between a city and the Department of the Treasury (5 U.S.C. 5520), copies of executed city tax withholding certificates shall be furnished the city in response to a written request from an appropriate city official to the Assistant Executive Director (Administration).

In the absence of a withholding agreement, the social security number will be furnished only to a taxing jurisdiction which has furnished this agency with evidence of its independent authority to compel disclosure of the social security number, in accordance with Section 7 of the Privacy Act, Pub. L. 93-579.

Also see appendix.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and tape.

Retrievability: Name and Social Security Number.

Safeguards: Stored in guarded building in locked files; released only to authorized personnel such as staff in the Commission's Administrative Office responsible for maintaining time and attendance records.

Retention and disposal: In accordance with the GSA General Records Schedule 2 and the GAO Manual for Guidance of Federal Agencies.

System manager(s) and address:

Assistant Executive Director (Administration)
National Capital Planning Commission
1325 G Street, NW
Washington, D.C. 20576

Notification procedure: Same as above.

Record access procedures: Generally by submitting written request to the System Manager. A copy of the Commission's Privacy Act procedures will be sent upon request.

Contesting record procedures: Generally by submitting written request to the System Manager. A copy of the Commission's Privacy Act procedures will be sent upon request.

Record source categories: Individuals on whom records are maintained.

NCPC-4

System name: Grievance Records.

System location: These records are located in the Administrative Office of the National Capital Planning Commission.

Categories of individuals covered by the system: Current or former employees of the National Capital Planning Commission who have submitted grievances in accordance with Part 771 of the regulations of the U.S. Office of Personnel Management (5 CFR Part 771).

Categories of records in the system: The system contains records relating to grievances filed by agency employees under Part 771 of regulations issued by the U.S. Office of Personnel Management (OPM). These case files contain all documents related to the grievance, including statements of witnesses, reports of interviews and hearings, examiner's findings and recommendations, a copy of the original and final decision, and related correspondence and exhibits.

Authority for maintenance of the system: 5 U.S.C. 1302, 3301, 3302, E.O. 10577, 3 CFR 1954-1958 Comp., p. 218, E.O. 10987, 3 CFR 1959-1963 Comp., p. 519, agency employees, for personal relief in a matter of concern or dissatisfaction which is subject to the control of agency management.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

(a) To disclose pertinent information to the appropriate Federal, state or local agency responsible for investigating, prosecuting, enforcing or implementing a statute, rule, regulation, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

(b) To disclose information to any source from which additional information is requested in the course of processing a grievance, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and identify the type of information requested.

(c) To disclose information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to requesting the agency's decision on the matter.

(d) To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

(e) To disclose information to another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

(f) By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

(g) By the Commission or by the U.S. Office of Personnel Management (OPM) in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual indentifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

(h) To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel; the Federal Labor Relations Authority and its General Counsel, or the Equal Employment Opportunity Commission when requested in performance of their authorized duties.

(i) To disclose in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

(j) To provide information to officials of labor organizations reorganized under the Civil Service Reform Act when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting work conditions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders.

Retrievability: These records are retrieved by the names of the individuals on whom they are maintained.

Safeguards: These records are maintained in lockable metal filing cabinets to which only authorized personnel have access.

Retention and disposal: These records are disposed of 3 years after closing of the case. Disposal is by shredding or burning.

System manager(s) and address: Administrative Officer, National Capital Planning Commission, 1325 G Street, NW, Washington, D.C. 20576.

Notification procedure: It is required that individuals submitting grievances be provided a copy of the record under the grievance process. They may, however, also contact the agency administrative office regarding the existence of such records on them. They must furnish the following information for their records to be located and identified:

(a) Name
(b) Date of birth
(c) Approximate date of closing of the case and kind of action taken
(d) Organizational component involved.

Record access procedures: It is required that individuals submitting grievances be provided a copy of the record under the grievance process. However, after the action has been closed, an individual may request access to the official copy of the grievance file by contacting the agency administrative office.

Individuals must provide the following information for their records to be located and identified.

(a) Name
(b) Date of birth
(c) Approximate date of closing of the case and kind of action taken
(d) Organizational component involved.

Individuals requesting access must also follow the Privacy Act regulations of the U.S. Office of Personnel Management regarding access to records and verification of identity (5 CFR 297.203 or 297.201).

Contesting record procedures: Review of requests from individuals seeking amendment of their records which have been the subject of a judicial or quasi-judicial action will be limited in scope. Review of amendment requests of these records will be restricted to determining if the record accurately documents the action of the agency ruling on the case, and will not include a review of the merits of the action, determination, or finding.

Individuals wishing to request amendment to their records to correct factual errors should contact the agency administrative office. Individuals must furnish the following information for their records to be located and identified:

(a) Name
(b) Date of birth
(c) Approximate date of closing of the case and kind of action taken
(d) Organizational component involved.

Individuals requesting amendment must also follow the Privacy Act regulations of the U.S. Office of Personnel Management regarding amendment to records and verification of identity (5 CFR 297.208 and 297.201).

Record source categories: Information in this system of records is provided:

(a) By the individual on whom the record is provided:
(b) By testimony of witnesss
(c) By agency officials
(d) From related correspondence from organizations or persons.

Appendix: NCPC

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rules or order issued pursuant thereto, the relevant records in the system of records may be referred, as a "routine use", to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violations or charged with enforcing or implemening the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a "routine use" to a Federal, State, or local agency maintaing civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary, to obtain information relevant to an agency decision concerning the hiring or retention of any employee, the issuance of a security clearance, the letting of a contract or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

A record from this system or records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of Federal personnel management.

A record from this system of records may be disclosed to officers and employees of a Federal agency for purposes of audit.

A record from this system of records may be disclosed as a "routine use" to a Member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

A record from this system of records may be disclosed to officers and employees of the General Services Administration in connection with administrative services provided to this agency under agreement with GSA.

Title I-General Provisions

Chapter IV-Miscellaneous Agencies

PART 455—NATIONAL CAPITAL PLANNING COMMISSION

Sec.
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455.11 Penalties.
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Authority: 5 U.S.C. 552a.

Source: 42 FR 7921, Feb. 8, 1977, unless otherwise noted.

§ 455.1 Purpose and scope.

These procedures provide the means by which individuals may safeguard their privacy by obtaining access to, and requesting amendments or corrections in, information, if any, about these individuals which is under the control of the National Capital Planning Commission (hereafter, the "Commission").

§ 455.2 Definitions.

For the purpose of these procedures:

(a) The term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

(b) The term "maintain" includes maintain, collect, use, or disseminate;

(c) The term "record" means any item, collection or grouping of information about an individual that is maintained by the Commission, including, but not limited to, his or her payroll information and mailing address and that contains his or her name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as social security number;

(d) The term "system of records" means a group of any records under the control of the Commission from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual; and

(e) The term "routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

§ 455.3 Procedures for requests pertaining to individual records in a record system.

(a) An individual who wishes to know whether a system of records maintained by the Commission contains a record pertaining to him or her shall submit a written request to that effect to the appropriate System Manager at the Commission. The System Manager shall, within 10 days of the receipt of such submission, inform the individual whether a system of records maintained by the Commission contains such a record.

(b) An individual who desires access to any identified record shall file a request therefor, addressed to the System Manager indicating whether such individual intends to appear in person at the Commission's offices or whether he or she desires to receive a copy of any identified record through the mail.

§ 455.4 Times, places, and requirements for identification of individuals making requests.

(a) An individual who, in accord with § 455.3(b) of this part indicated that he or she would appear personally shall do so at the Commission's offices, 1325 G Street NW., Washington, D.C., between the hours of 8:30 A.M. and 5:00 P.M., Monday through Friday (legal holidays excluded) and present a form of identification, such as a valid driver's license or employee identification card, which will permit the System Manager to verify that the individual is the same individual as contained in the record requested.

(b) An individual who, in accord with § 455.3(b) of this part indicated that he or she desired mail delivery of a copy of the record shall include in the request the date and location of birth of the individual as suitable proof of identity.

(c) Where the above mentioned forms of identification are not feasible or appropriate, the Commission shall request a signed statement from the individual asserting his or her identity and stipulating that the individual understands that knowingly or willfully seeking or obtaining access to records about another individual under false pretenses is punishable by a fine of up to $5,000.

§ 455.5 Disclosure of requested information to individuals.

Upon verification of identity, the System Manager shall disclose to the individual (a) the information contained in the record which pertains to that individual; and (b) the accounting of disclosures of the record, if any, required by 5 U.S.C. 552a(c).

§ 455.6 Request for correction or amendment to the record.

An individual may request that a record pertaining to him or her be amended or corrected. The individual shall submit any such request in accord with § 455.3 of this part and shall state therein the item sought to be amended and specific reasons therefor.

§ 455.7 Agency review of request for correction or amendment of the record.

Within ten days of the receipt of the request to correct or to amend the record, the System Manager will acknowledge in writing such receipt and promptly either: (a) Make any correction or amendment of any portion thereof which the individual believes is not accurate, relevant, timely, or complete and inform the individual of same; or (b) inform the individual of his or her refusal to correct or to amend the record in accordance with the request, the reason for the refusal, and the procedures established by the Commission for the individual to request a review of that refusal.

§ 455.8 Appeal of an initial adverse agency determination on correction or amendment of the record.

An individual who disagrees with the refusal of the System Manager to correct or to amend his or her record may submit a request for a review of such refusal to the Chairman of the Commission, 1325 G Street NW., Washington, D.C. 20576. The Chairman will, not later than thirty days from the date on which the individual requests such review, complete such review and make a final determination unless, for good cause shown, the Chairman extends such thirty day period. If, after his or her review, the Chairman also refuses to correct or to amend the record in accordance with the request, the individual may file with the Commission a concise statement setting forth the reasons for his or her disagreement with the refusal of the Commission and may seek judicial review of the Chairman's determination under 5 U.S.C. 552a(g)(1)(A).

§ 455.9 Disclosure of record to a person other than the individual to whom the record pertains.

An individual to whom a record is to be disclosed in person may have a person of his or her own choosing accompany the individual when the record is disclosed.

§ 455.10 Fees.

(a) The Commission will not charge an individual for the costs of making a search for a record or the costs of reviewing the record. When the Commission makes a copy of a record as a necessary part of the process of disclosing the record to an individual, the Commission will not charge the individual for the cost of making that copy.

(b) If an individual requests the Commission to furnish him or her with a copy of the record (when a copy has not otherwise been made as a necessary part of the process of disclosing the record to the individual), the Commission will charge a fee of $0.25 per page (maximum per page dimension of 8½ × 13 inches) to the extent that the request exceeds $5.00 in cost to the Commission. Requests not exceeding $5.00 in cost to the Commission will be met without cost to the requester.

§ 455.11 Penalties.

Title 18 U.S.C., sec. 1001, Crimes and Criminal Procedures, makes it a criminal offense, subject to a maximum fine of $10,000 or imprisonment for not more than five years or both, to knowingly and willfully make or cause to be made any false or fraudulent statements or representations in any matter within the jurisdiction of any agency of the United States. Section 552a(i)(3) of the Privacy Act (5 U.S.C. 552a(i)(3)), makes it a misdemeanor, subject to a maximum fine of $5,000, to knowingly and willfully request or obtain any record concerning an individual under false pretenses. Section 552a(i) (1) and (2) of the Privacy Act (5 U.S.C. 552a(i) (1) and (2)) provide penalties for violations by agency employees of the Privacy Act or regulations established thereunder.

§ 455.12 Exemptions.

No Commission records system is exempted from the provisions of 5 U.S.C. 552a as permitted under certain conditions by 5 U.S.C. 552a (j) and (k).

NATIONAL CREDIT UNION ADMINISTRATION

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Note— See Appendices for general "routine uses" applicable to each system of records and for a listing of the locations of NCUA Regional Offices.

NCUA-1

System name:

Employee Security Investigations Containing Adverse Information, NCUA.

System location:

Personnel Office, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456.

Categories of individuals covered by the system:

NCUA employees on whom a routine Office of Personnel Management (OPM) security investigation has been conducted, the results of which contain adverse information.

Categories of records in the system:

Arrest records and/or information on moral character, integrity, or loyalty to the United States.

Authority for maintenance of the system:

Records maintained pursuant to OPM requirements. A separate notice is published because these records are maintained separately to provide extraordinary safeguards against unwarranted access and disclosures.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Records are reviewed by the NCUA Security Officer. If the records are determined to be of a substantive nature, they are referred to Regional Director for whatever action, if any, is deemed necessary. (2) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on paper hard copy.

Retrievability:

Records are indexed by name.

Safeguards:

Records are maintained in a locked file cabinet accessible only to the Security Officer and his designated assistant.

Retention and disposal:

If the investigation is favorable to the employee, the record is destroyed. If the investigation uncovers adverse information and the employee is terminated, the record is held for two years; if the employee is retained, the record is destroyed. If the investigation uncovers severe adverse information the record is retained for two years whether the employee is retained or terminated.

System manager(s) and address:

Security Officer, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the system manager listed above. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the system manager will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the system manager listed above.

Record source categories:

Office of Personnel Management (OPM) Security Investigations Index, FBI Headquarters investigative files, fingerprint index of arrest records, Defense Central Index of Investigations, employers within the last five years, listed references, and personal associates, school registrars and responsive law enforcement agencies.

Systems exempted from certain provisions of the act:

In addition to any exemption to which this system is subject by Notices published by or regulations promulgated by the OPM, the system is subject to a specific exemption pursuant to 5 U.S.C. 552a(k)(5) to the extent that disclosures would reveal a source who furnished information under an express promise of confidentiality, or prior to September 27, 1975, under an express or implied promise of confidentiality.

NCUA-2

System name:

Grievance Records, NCUA.

System location:

Personnel Office, National Credit Union Administration, 1776 G Street NW., Washington, DC 20456.

Categories of individuals covered by the system:

Current or former Federal employees who have submitted grievances with NCUA in accordance with Part 771 of the OPM's regulations. These case files contain all documents related to the grievance, including statements of witnesses, reports of interviews and hearings, examiners' findings and recommendations, a copy of the original and final decision with related correspondence and exhibits.

Authority for maintenance of the system:

5 U.S.C. 1302, 3301, and 3302, E.O. 10577, 3 CFR 1954-1958 Comp., p. 218; E.O. 10987; 3 CFR 1959-1963 Comp., p. 519.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Information is used by the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulations.

(2) Information is used by any source from which additional information is requested in the course of processing a grievance to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and identify the type of information requested.

(3) Information is used by a Federal agency in response to its request in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

(4) Information is used by the congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

(5) Information is used by another Federal agency or by a court when the Government is party to a judicial proceeding before the court.

(6) Information is used by the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

(7) Information is used by NCUA in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances, the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

(8) Information is used by officials of the Office of Personnel Management, the Merit Systems Protection Board, including the Office of the Special Counsel, the Federal Labor Relations Authority and its General Counsel, or the Equal Employment Opportunity Commission when requested in performance of their authorized duties.

(9) Information (that is relevant to the subject matter involved in a pending judicial or administrative proceeding) is used to respond to a request for discovery or for appearance of a witness.

(10) Information is used by officials of labor organizations reorganized under the Civil Service Reform Act when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting work conditions.

(11) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are retrievable by the names of the individuals on whom they are maintained.

Safeguards:

Records are maintained in lockable metal filing cabinets to which only authorized personnel have access.

Retention and disposal:

Records are disposed of three (3) years after closing of the case. Disposal is by shredding or burning.

System manager(s) and address:

Director, Personnel Office, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the system manager listed above. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the system manager will set forth the procedures for gaining access to available records.

Contesting record procedures:

Request to amend or correct a record should be directed to the system manager listed above.

Record source categories:

Individual on whom the record is maintained; testimony of witness; agency officials; related correspondence from organization or persons.

NCUA-3

System name:

Payroll Records System, NCUA.

System location:

(1) Controller's Office, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456.

(2) General Services Administration, Region VI, Kansas City, Missouri.

Categories of individuals covered by the system:

Employees of NCUA.

Categories of records in the system:

Salary and related payroll data, including time and attendance information.

Authority for maintenance of the system:

5 U.S.C. 703; 44 U.S.C. 3301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Information is used to ensure proper compensation to all NCUA employees and to formulate financial reports and plans used within the agency or is sent to the General Services Administration (GAS). (2) Also, information is used to document time worked and provide a record of attendance to support payment of salaries and use of annual, sick, and nonpaid leave. (3) Users of the time and attendance information include the employee's supervisor, the office's timekeeper, the payroll officer, and the GSA National Payroll Center in Kansas City, Missouri. (4) Further information in this system is used to make reportings to state and local taxing authorities. (5) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are retrieved by name or social security number.

Safeguards:

Records are maintained in secured offices, accessible by written authorization only.

Retention and disposal:

Records are retained and disposed in accordance with GSA policy.

System manager(s) and address:

(1) Primary: Payroll Officer, Controller's Office, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456; (2) Secondary: Office Timekeepers, National Credit Union Administration, Central Office (1776 G Street, NW., Washington, DC 20456) and Regional Offices (see Appendix B for Regional Offices' addresses).

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the system manager listed above. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the system manager will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the system manager listed above.

Record source categories:

Information is primarily obtained from the individual whom the record concerns, the Office of Personnel Management, and the GSA. Also, time and attendance information is prepared and submitted by the timekeeper in a given employee's office.

NCUA-4

System name:

Verified Employee Mailing List.

System location:

Office of Information Systems, National Credit Union Administration, 1776 G Street NW., Washington, DC 20456.

Categories of individuals covered by the system:

NCUA employees.

Categories of records in the system:

This system contains the following information for each employee: Name, address, telephone number, birthdate, ethnic and sex codes, GS grade, employee type, and employee identification number.

Authority for maintenance of the system:

5 U.S.C. 301; 44 U.S.C. 3301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Information is used to produce mailing labels and make reporting to the EEO Director and other NCUA employees with an official need for a listing of NCUA employees. (2) Also, the information is used to generate an NCUA telephone directory for distribution to all NCUA employees. (3) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on computer readable media.

Retrievability:

best copy available

Records are retrievable by employee name or identification number.

Safeguards:

Accessibility is limited to specific written requests. The file itself is password protected.

Retention and disposal:

Information is maintained on active, retired, and deceased employees for an indefinite period of time.

System manager(s) and address:

Personnel Office, National Credit Union Administration, 1776 G Street NW., Washington, DC 20456.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the system manager listed above. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the system manager will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the system manager listed above.

Record source categories:

NCUA Form 1042 is completed for each new employee by personnel staff or the regional office manager. Form 1051 is completed by same to report changes.

NCUA–5

System name:

Travel Advance and Voucher Information System, NCUA.

System location:

Controller's Office, National Credit Union Administration, 1776 G Street NW., Washington, DC 20456.

Categories of individuals covered by the system:

All NCUA employees who have traveled in the course of performing their duty and who have been reimbursed for the expense of such travel.

Categories of records in the system:

This system contains information from the following forms: Travel Vouchers (NCUA 1012), Reimbursement for COS Expenses (NCUA 1302) Authorization of Moving and Related Travel Expenses for COS (NCUA 11301), Travel Orders (NCUA 1500), Suspension Statements (NCUA 1399), Application for Advance of Funds (NCUA 1399), and Travel Voucher Cover Sheet (NCUA 1364).

Authority for maintenance of the system:

5 U.S.C. 5701–5752; Executive Order 11609 (July 22, 1971); Executive Order 11012 (March 27, 1962); 5 U.S.C. 4101–4118; Federal Travel Regulations, FPMR 101-7, Chapter 2, Section 6.3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Records are used to provide documentary support for reimbursements to employees for on-the-job travel expenses.

(2) Users of the information include first and second line supervisors, NCUA accounting staff, and budgeting staff.

(3) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in paper hard copy form and in an on-line ADP system.

Retrievability:

Records are retrievable by social security number.

Safeguards:

The paper hard copy records are maintained in secured offices. The computer disc is located in a secured office and its access is limited to user employees who know the logical identification access number.

Retention and disposal:

Records are maintained in the Division of Financial Operations until the annual GAO audit is completed. After the audit, the paper hard copy records are stored in a Federal Records Center for a minimum of three years and the computer disc is purged.

System manager(s) and address:

Director, Accounting Services Division, Controller's Office, National Credit Union Administration, 1776 G Street NW, Washington, DC 20456.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the system manager listed above. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the system manager will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the system manager listed above.

Record source categories:

Records are prepared by the individual whom the record concerns.

NCUA–6

System name:

New Examiner Training Files, NCUA.

System location:

(1) Regional Office where new employee is assigned (See Appendix B for Regional Office's locations.)

(2) Office of Examination and Insurance, National Credit Union Administration, 1776 G Street NW., Washington, DC 20456. At the end of the training period in the Region, the records are transferred to the Personnel Office.

Categories of individuals covered by the system:

NCUA examiners, from entry level to one year on staff.

Categories of records in the system:

Biweekly training reports, training progress reports, on-the-job trainers' evaluations of classroom training, trainees' evaluation of training program.

Authority for maintenance of the system:

5 U.S.C. 4101–4116.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Information is used to determine the retention or termination of a new examiner after 23 weeks of on-the-job training. (2) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on paper hard copy.

Retrievability:

Records are retrievable by employee name.

Safeguards:

Records are maintained in metal file cabinets in secured offices of each Regional Office and in secured offices in the Washington Central Offices.

Retention and disposal:

Records are purged annually for those employees no longer participating in the program.

System manager(s) and address:

(1) Files are maintained in NCUA's six Regional Offices (see Appendix B for Regional Office's locations).

(2) Office of Examination and Insurance, National Credit Union Administration, 1776 G Street NW., Washington, DC 20456. At the end of the training period in the Region, the records are transferred to the Personnel Office.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the system manager listed above. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the system manager will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the system manager listed above.

Record source categories:

Individual on whom the record is maintained; on-the-job trainers; supervisors; Office of Personnel Management.

NCUA-7

System name:

Region I Employee Development/Correspondence Records, NCUA.

System location:

Region I Regional Office, National Credit Union Administration, 9 Washington Square, Washington Avenue Extension, Albany, New York 12205.

Categories of individuals covered by the system:

NCUA Region I employees.

Categories of records in the system:

The system contains information on NCUA examiners and professional staff related to some or all of the following areas: Work performance appraisals; district management; chartering efforts; reactions from FCU officials; personal development plans; copies of personnel records; supply and equipment information; training; work performance; suggestions; awards; travel vouchers; and data on leave and pay activities. Also, the system contains information on NCUA clerical staff related to: Work performance and development activities, which may include work product samples; memos or notations from professional staff; personal development plans; evaluations by superiors; copies of personnel records; and data on pay and leave activity.

Authority for maintenance of the system:

5 U.S.C. 301; 44 U.S.C. 3301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) The information in this system is used for recording time and attendance, controlling equipment inventories, training staff, evaluating employee work performance, and conducting general administrative matters. (2) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on paper hard copy.

Retrievability:

Records are indexed alphabetically by name.

Safeguards:

Physical security consists of maintaining records in locked metal file cabinets within secured offices.

Retention and disposal:

Current and relevant information is maintained generally for a period of at least one to two years. Obsolete material is maintained in the same file cabinets and is periodically destroyed or returned to the originator.

System manager(s) and address:

Administrative Officer, Region I Regional Office, National Credit Union Administration, 9 Washington Square, Washington Avenue Extension, Albany, New York 12205.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the Regional Director where the system is located. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the Regional Director will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the Regional Director.

Record source categories:

Sources may include the individual whom the record concerns, supervisors of the individual, fellow employees, credit union officials, administrative officer or office assistant, and other persons whom the individual may encounter in the course of work performance. For payroll- and personnel-related information, the sources may include the General Service Administration and Office of Personnel Management.

NCUA-8

System name:

Region II Employee Development/Correspondence Records, NCUA.

System location:

Region II Regional Office, National Credit Union Administration, Eighth Floor, 1776 G Street NW., Washington, DC 20006.

Categories of individuals covered by the system:

NCUA Region II employees.

Categories of records in the system:

The system contains information on NCUA examiners and professional staff related to some or all of the following areas: Work performance appraisals; district management; chartering efforts; reactions from FCU officials; personal development plans; copies of personnel records; supply and equipment information; training; work performance; suggestions; training awards; travel vouchers; and data on leave and pay activities. Also, the system contains information on NCUA clerical staff related to: Work performance and development activities, which may include work product samples; memos or notations from professional staff; personal development plans; evaluations by superiors; copies of personnel records; and data on pay and leave activity.

Authority for maintenance of the system:

5 U.S.C. 301; 44 U.S.C. 3301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) The information in this system is used for recording time and attendance, controlling equipment inventories, training staff, evaluating employee work performance, and conducting general administrative matters.

(2) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are indexed alphabetically by name.

Safeguards:

Physical security consists of maintaining records in locked metal file cabinets within secured offices.

Retention and disposal:

Current and relevant information is maintained generally for a period of one to two years. Obsolete material is maintained in the same file cabinets and is periodically destroyed or returned to the originator.

System manager(s) and address:

Director, Division of Administration, Region II Regional Office, National Credit Union Administration, Suite 800, 1700 G Street NW., Washington, DC 20006.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the Regional Director where the system is located. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the Regional Director will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the Regional Director.

Record source categories:

Sources may include the individual whom the record concerns, supervisors of the individual, fellow employees, credit union officials, and other persons whom the individual encounters in the course of work performance. For payroll- and personnel-related information, the sources may include the General Services Administration and the Office of Personnel Management.

NCUA-9

System name:

Region III Employee Development/Correspondence Records, NCUA.

System location:

Region III Regional Office, National Credit Union Administration, 7000 Central Parkway, Suite 1600, Atlanta, GA 30328.

Categories of individuals covered by the system

NCUA Region III employees.

Categories of records in the system:

The system contains information on NCUA examiners and professional staff related to some or all of the following areas: Work performance appraisals; district management; chartering efforts; reactions from FCU officials; personal development plans; copies of personnel records; supply and equipment information; training; work performance; suggestions; awards; travel vouchers; and data on leave and pay activities. Also, the system contains information on NCUA clerical staff related to: Work performance and development activities, which may include work product samples; memos or notations from professional staff; personal development plans; evaluations by superiors; copies of personnel records; and data on pay and leave activity.

Authority for maintenance of the system:

5 U.S.C. 301; 44 U.S.C. 3301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) The information in this sysem is used for recording time and attendance, controlling equipment inventories, training staff, evaluating employee work performance, and conducting general administrative matters.

(2) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on paper hard copy.

Retrievability:

Recordsd are indexed alphabetically by name.

Safeguards:

Physical security consists of maintaining records in locked metal file cabinets within secured offices.

Retention and disposal:

Current and relevant information generally for a period of one to two years. Obsolete material is maintained in the same file cabinets and is periodically destroyed or returned to the originator.

System manager(s) and address:

Administrative Officer, Region III Regional Office, National Credit Union Administration, 7000 Central Parkway, Suite 1600, Atlanta, GA 30328.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the Regional Director where the system is located. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the Regional Director will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the Regional Director.

Record source categories:

Sources may include the individual whom the record concerns, supervisors of the individual, fellow employees, credit union officials, and other persons whom the individual encounters in the course of work performance. For payroll- and personnel-related information, the sources may include the General Service Administration and the Office of Personnel Management.

NCUA-10

System name:

Region IV Employee Development/Correspondence Records, NCUA.

System location:

Region IV Regional Office, National Credit Union Administration, 300 Park Boulevard, Itasca, IL 60143.

Categories of individuals covered by the system:

NCUA Region IV employees.

Categories of records in the system:

The system contains information on NCUA examiners and professional staff related to some or all of the following areas: Work performance appraisals; district management: Chartering efforts; reactions from FCU officials; personal development plans; copies of personnel records; supply and equipment information, training; work performance; suggestions; awards; travel vouchers; and data on leave and pay activities. Also, the system contains information on NCUA clerical staff related to: Work performance and development activities, which may include work product samples; memos or notations from professional staff; personal development plans; evaluations by superiors; copies of personnel records; and data on pay and leave activity.

Authority for maintenance of the system:

5 U.S.C. 301; 44 U.S.C. 3301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) The information in this system is used for recording time and attendance, controlling equipment inventories, training staff, evaluating employee work performance, and conducting general administrative matters.

(2) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on paper hard copy.

Retrievability:

Records are indexed alphabetically by names, NCUA employee numbers, and NCUA property inventory (decal) numbers.

Safeguards:

Physical security consists of maintaining records in metal file cabinets within secured offices.

Retention and disposal:

Current and relevant information is maintained generally for a period of one to two years. Obsolete material is maintained in the same file cabinets and periodically destroyed or returned to the originator.

System manager(s) and address:

Director of Administration, Region IV Regional Office, National Credit Union Administration, 300 Park Boulevard, Itasca, IL 60143.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the Regional Director where the system is located. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the Regional Director will set forth the procedures for gaining access to available records.

Contesting record procedures:

Records to amend or correct a record should be directed to the Regional Director.

Record source categories:

Source may include the individual whom the record concerns, supervisors of the individual, fellow employees, credit union officials, and other persons whom the individual encounters in the course of work performance. For payroll- and personnel-related information, the sources may include the General Services Administration and the Office of Personnel Management.

NCUA-11

System name:

Region V Employee Development/Correspondence Records, NCUA.

System location:

(1) Region V Regional Office, National Credit Union Administration, 4807 Spicewood Springs Road, Building 5, Austin, Texas 78759.

(2) Region V, Austin Suboffice, 320 6th Street, Room 202, Sioux City, Iowa 51101

(3) Development files on the examiners are maintained by the Supervisory Examiners in their home offices, not in the Regional Office.

Categories of individuals covered by the system:

NCUA Region V employees.

Categories of records in the system:

The system contains information on NCUA examiners and professional staff related to some or all of the following areas: Work performance appraisals; district management; chartering efforts; reactions from FCU officials; personal development plans; copies of personnel records; supply and equipment information; training; work performance; suggestions; awards; travel vouchers; and data on leave and pay activities. Also, the system contains information on NCUA clerical staff related to: Work performance and development activities, which may include work product samples; memos or notations from professional staff; personal development plans; evaluations by superiors; copies of personnel records; and data on pay and leave activity.

Authority for maintenance of the system:

5 U.S.C. 301; 44 U.S.C. 3301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) The information in this system is used for recording time and attendance, controlling equipment inventories, training staff, evaluating employee work performance, and conducting general administrative matters.

(2) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on paper hard copy.

Retrievability:

Records are indexed alphabetically by name.

Safeguards:

Physical security consists of maintaining records in metal file cabinets within secured offices. Cabinets may be locked depending on the nature of the information which they contain.

Retention and disposal:

Current and relevant information is maintained generally for a period of one to two years. Obsolete material is maintained in the same file cabinets and is periodically destroyed or returned to the originator.

System manager(s) and address:

Regional Director, Region V Regional Office, National Credit Union Administration, 4807 Spicewood Springs Road, Building 5, Austin, TX 78759.

Notification procedure:

Examiners may inquire as to whether the system contains a development record pertaining to the individual by addressing a request in person or by mail to the examiner's supervisory examiner at the supervisory examiner's home office. All other individuals may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the Regional Director where the system is located. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the Regional Director or the appropriate supervisory examiner will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the Regional Director.

Record source categories:

Sources may include the individual whom the record concerns supervisors of the individual, fellow employees, credit union officials, and other persons whom the individual encounters in the course of work performance. For payroll- and personnel-related information, the sources may include the General Services Administration and the Office of Personnel Management.

NCUA-12

System name:

Region VI Employee Development/Correspondence Records, NCUA.

System location:

(1) Region VI Regional Office, National Credit Union Administration, 2890 N. Main Street, Suite 101, Walnut Creek, CA 94596.

(2) Development files on the examiners are maintained by the supervisory examiners in their home offices, not in the Regional Office.

Categories of individuals covered by the system:

NCUA Region VI employees.

Categories of records in the system:

The system contains information of NCUA examiners and professional staff related to some or all of the following areas: Work performance appraisals; district management; chartering efforts; reactions from FCU officials; personnel records; supply and equipment information; training; work performance; suggestions; awards; travel vouchers; and data on leave and pay activities. Also, the system contains information on NCUA clerical staff related to: Work performance and development activities, which may include work product samples; memos or notations from professional staff; personal development plans; evaluations by superiors; copies of personnel records; and data on pay and leave activity.

Authority for maintenance of the system:

5 U.S.C. 301; 44 U.S.C. 3301

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) The information in this system is used for recording time and attendance, controlling equipment inventories, training staff, and conducting general administrative matters.

(2) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on paper hard copy.

Retrievability:

Records are indexed alphabetically by name.

Safeguards:

Physical security consists of maintaining records in metal file cabinets within secured offices. Cabinets may be locked depending on the nature of the information which they contain.

Retention and disposal:

Current and relevant information is maintained generally for a period of one to two years. Obsolete materials are maintained in the same file cabinets and are periodically destroyed or returned to the originator.

System manager(s) and address:

Administrative Officer, Region VI Regional Office, National Credit Union Administration, 2890 N. Main Street, Suite 101, Walnut Creek, CA 94596.

Notification procedure:

Examiners may inquire as to whether the system contains a development record pertaining to the individual by addressing a request in person or by mail to the examiner's supervisory examiner at the supervisory examiner's home office. All other individuals may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the Regional Director where the system is located. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the Regional Director or the appropriate supervisory examiner will set forth the procedures for gaining access to available records.

Record source categories:

Sources may include the individual whom the record concerns, supervisors of the individual, fellow employees, credit union officials, and other persons whom the individual encounters in the course of work performance. For payroll- and personnel-related information, the sources may include the General Services Administration and the Office of Personnel Management.

NCUA-13

System name:

Emergency Information (Employee) File, NCUA.

System location:

Personnel Office, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456.

Categories of individuals covered by the system:

This system contains personal information on an employee, i.e., height, weight, hair color, eye color, current address, and telephone number. Also, this system identifies the individual to contact in case of an emergency involving the employee.

Authority for maintenance of the system:

5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) The Personnel Office uses certain personal information for preparing the employee ID cards. (2) The information on the individual to contact in cases of emergency is used by Personnel and others on a need-to-know basis. (3) The Security Officer maintains a list of all employees, with their addresses and telephone numbers. This list is updated monthly. The listed information is used when there is a national emergency. (4) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on paper hard copy.

Retrievability:

Records are indexed alphabetically by name.

Safeguards:

Records are maintained in locked file drawer.

Retention and disposal:

Records are disposed of after an employee is separated from the agency.

System manager(s) and address:

(1) Director, Personnel Office, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456. (2) Security Officer, Administrative Office, at the same address above.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the appropriate system manager listed above. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the system manager will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the appropriate system manager listed above.

Record source categories:

Individual on whom the record is maintained.

NCUA-14

System name:

Employee Injury File, NCUA.

System location:

Personnel Office, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456.

Categories of individuals covered by the system:

Any employee who has sustained a job-related injury or disease.

Categories of records in the system:

Copies of reports submitted by individual who has sustained a job-related injury or disease. Copies of any further claims made regarding the same injury or disease or any other material required for documenting and adjudicating the claim.

Authority for maintenance of the system:

Occupational Safety and Health Act of 1970, 29 CFR Part 1960.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Information is maintained to provide appropriate data to the Department of Labor, when needed, for adjudication of a claim. (2) Further, information is used for reporting purposes as required by the Department of Labor on a recurring basis. (3) Use of information is limited to the Personnel Office. (4) Standard routine use as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on paper.

Retrievability:

Records are indexed by NCUA Region, and date of injury.

Safeguards:

Records are maintained in locked file drawer.

Retention and disposal:

Records are disposed of five years after the year to which they relate.

System manager(s) and address:

Director, Personnel Office. National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the system manager listed above. If there is no record on the individual, then individual will be so advised.

Record access procedures:

Upon request, the system manager will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the system manager listed above.

Record source categories:

Individual on whom the record is maintained; superiors of individual; individual's physician; hospital attending individual; Department of Labor.

NCUA-15

System name:

Investigative Reports Involving Any Crime or Suspected Crime Against a Credit Union, NCUA.

System location:

Office of Examination and Insurance, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456.

Categories of individuals covered by the system:

This system covers credit union members, credit union employees, or other individuals involved or suspected of involvement in criminal activities against a federally-insured credit union.

Categories of records in the system:

Investigative reports relating to possible felonies.

Authority for maintenance of the system:

12 U.S.C. 1789.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Information is used to determine if any further agency action should be taken. (2) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on paper hard copy and computer readable magnetic media.

Retrievability:

System is indexed by credit union name and suspect name.

Safeguards:

Records are maintained in a separate locked cabinet accessible only to the Director, Office of Examination and Insurance, and designated assistants. The records are further secured by computer passwords accessible only by designated assistants.

Retention and disposal:

Records are stored indefinitely on computer media. Paper copies are held on site, then transferred to long-term storage.

System manager(s) and address:

Director, Office of Examination and Insurance, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the system manager listed above. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the system manager will set forth the procedures for gaining access to available records

Contesting record procedures:

Requests to amend or correct a record should be directed to the system manager listed above.

Record source categories:

Credit union officials, NCUA examiners, and other Federal agencies.

Systems exempted from certain provisions of the act:

This system is subject to a specific exemption pursuant to 5 U.S.C. 522a(k)(2), as the system of records is investigatory material compiled for law enforcement purposes.

NCUA-16

System name:

Freedom of Information Act Bills Delinquent 30-Days or More, NCUA.

System location:

Administrative Office, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456.

Categories of individuals covered by the system:

This system of records includes information pertaining to any Freedom of Information Act (FOIA) requestor who has an outstanding payment of at least 30 days due NCUA as a result of processing their FOIA request.

Categories of records in the system:

The system contains the following information for any person or organization having an outstanding bill of 30 days or more for FOIA services: requestor's name, company name or organization, address, date of invoice, invoice number, amount due, phone number.

Authority for maintenance of the system:

12 U.S.C. 1789.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records in this system are used to identify requestors who are at least 30 days delinquent in their payments. These records will be used by the NCUA for collection of the amount due, as well as to identify subsequent requests made by the same individuals. The information may also be disclosed to a consumer reporting agency. The information disclosed to a consumer reporting agency is limited to: (1) Information necessary to establish the identity of the individual, including name, address, and taxpayer identification number; (2) the amount, status, and history of the claim; and (3) the agency or program under which the claim arose.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on paper hard copy and computer disk.

Retrievability:

Records in this system are retrievable by requestor's name, company name or organization, date of invoice, and invoice number.

Safeguards:

Physical security consists of storing records on a password protected floppy diskette and a hard copy secured in a metal file cabinet which is accessible only to those individuals responsible for collecting outstanding payments.

Retention and disposal:

Records are retained until payment is received. Once payment is received, all information is deleted from the system.

System manager(s) and address:

Freedom of Information Officer, Administrative Office, National Credit Union Administration, 1776 G Street, NW., Washington DC 20456.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the system manager listed above. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the system manager will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the system manager listed above.

Record source categories:

The source of records for this system of records is the FOIA request files.

NCUA-17

System name:

Acquired Assets and Share Payout Records System, NCUA.

System location:

Records within this system of records are located at one of two NCUA Liquidation Centers: Region II (Capital) and Region V (Austin) for a period of time necessary to answer inquiries of credit union members and to transfer share and loan record information to the Director, Department of Insurance, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456 or an outside purchaser or a loan collection servicer. After such time, the remaining records are transferred for storage to one of twelve General Services Administration record storage centers. For liquidations occurring in Regions I, II or III records are located in Region II. For liquidations occurring in Regions IV, V or VI, records are located in Region V, (see Appendix B for states covered by each Regional Office).

Categories of individuals covered by the system:

Members of liquidating federally-insured credit unions.

Categories of records in the system:

Share and account balances; personal data regarding income and debts; payment history.

Authority for maintenance of the system:

12 U.S.C. 1787.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Data used for payment of insurance claims to shareholders in liquidating federally-insured credit unions. (2) Also, data is used in the collection of outstanding loans, which may include referral of information to the General Accounting Office or the Department of Justice. (3) Generally, information is used for all purposes necessary to close out the affairs of the liquidated credit union and carry out all appropriate liquidations-related functions of NCUA, including referral of necessary information to facilitate a purchase of the credit union's assets by NCUA or sale to a third party (before or after such purchase), referral of noncredit information address locators, or referral of information to a surety company in pursuit of a fidelity bond claim. (4) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information is initially compiled on data conversion sheets prepared by NCUA examiners acting as on-site liquidators. This data is stored on computer disks, from which loan registers may be prepared and furnished to NCUA Regional Offices or prospective purchasers of the assets of closed credit unions. In addition to data stored on computer disks, the following records are maintained on paper hard copy; data conversion sheets, loan registers, essential share and loan documents, and members' filed claim forms. Copies of share and loan documents, incoming payments, and loan portfolios may also be maintained on microfilm copy.

Retrievability:

Records are indexed by name of member and by name of closed insured credit union.

Safeguards:

Records are maintained in secured offices.

Retention and disposal:

Information is disposed of five years after date of charter cancellation.

System manager(s) and address:

(1) NCUA Region II Regional Office, Eighth Floor, 1776 G Street, NW., Washington, DC 20006. (2) NCUA Region V Regional Office, Spicewood Springs Road, Building 5, Austin, TX 78759.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the system manager listed above. If there is no record on the individual, the individual will be so advised. Written inquiries should include name of inquirer, name of closed insured credit union of which inquirer was a member, and share and loan account numbers, if known, in addition to any requirements of part 790 of NCUA rules and regulations (12 CFR part 790).

Record access procedures:

Upon request, the system manager will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the system manager listed above.

Record source categories:

Individual on whom the record is maintained; outside address locators; and share and loan account files of the liquidating credit union of which the individual was a member.

NCUA-18

System name:

Member Accounts; Credit Unions Closed for Involuntary Liquidations, NCUA.

System location:

Records within this system of records are located at one of two NCUA Liquidation Centers: Region II (Capital) and Region V (Austin) for a period of time necessary to answer inquiries of credit union members and to transfer share and loan record information to the Director, Examination and Insurance, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456 or an outside purchaser or a loan collection services. After such time, the remaining records are transferred for storage to one of twelve General Services Administration record storage centers.

Categories of individuals covered by the system:

Information is maintained on those individuals who were members or employees of a federally-insured credit union closed for liquidation and for which the Board served as liquidating agent pursuant to 12 U.S.C. 1787. Records in this system are subject to the provisions of the Privacy Act only upon completion of the liquidation of a closed federally-insured credit union and three years after the cancellation of the credit union charter. Prior to such time, records of a closed insured credit union which are held by the Board, only in its capacity as liquidating agent for the closed credit union, are not "agency records" within the meaning of the Privacy Act, and thus the provisions of the Act have no applicability.

Categories of records in the system:

This system contains information concerning an individual's membership in and share and loan transactions with the credit union which has been closed for liquidation; membership card; individual share and loan ledgers; notes; security documents; promissory notes and extension agreements, if any. Also included are employee payroll records and data. As further explained above, in the "Categories of Individuals * * *" portion of this descriptive system notice, records of a closed insured credit union are generally subject to the provisions of the Privacy Act after completion of the liquidation of the credit union and three years after the cancellation of the credit union charter.

Authority for maintenance of the system:

12 U.S.C. 1766(c) and 1787.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Actions necessary to close out the affairs of liquidating federally-insured credit union, including: (a) Referral of information to affected credit union members, the NCUA Loan Management System, and any purchasers of the closed credit union's assets; (b) referral of information to the credit union's surety in pursuit of fidelity information to any appropriate agency or official in the course of collecting a claim of the United States. (2) Standard routine uses as set forth in Appendix A. (While it is the full intent to comply with the spirit of the Privacy Act with regard to records maintained within this described system, it should again be noted that the provisions of the Privacy Act of 1974, including a limitation of routine uses to those described herein, do not technically apply to the records until they become "agency" records, i.e., until such time as they revert to NCUA three years after the cancellation of the charter of a closed credit union.)

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records on individual credit union members or employees in this system of records are maintained on member account documents as compiled by individual credit unions prior to entering liquidation.

Retrievability:

Member and employee records are generally ordered or indexed by account number.

Safeguards:

Records within this system are maintained under the control of a designated agent for the liquidating agent who makes only such disclosures from the records as are necessary or part of responsibilities under the Federal Credit Union Act (12 U.S.C. 1751–1795).

Retention and disposal:

The records are maintained in one of the two liquidation centers indicated under the location section of this notice, for a period necessary to answer inquiries of credit union members and transfer appropriate share and loan information. The records are disposed of five years after charter cancellation.

System manager(s) and address:

The system managers for this system of records are the two Regional Directors located at the Regional Offices at which the liquidation centers are located.

Notification procedure:

If an individual wants to find out whether the records of a closed credit union within this system inlude records pertaining to that individual, the individual should contact by mail or in person, the Regional Director for Region II if the closed credit union was located in Region I, II or III, or the Regional Director of Region V if the closed credit union was located in Regions IV, V or VI, (see address in Appendix B). The inquiry should contain the name of the closed credit union, the inquirer's credit union account number (if known), a description of the records sought, the approximate dates covered by the record, and the name of the system of records. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the Regional Director will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the Regional Director for Region II if the closed credit union was located in Regions I, II or III, or the Regional Director for Region V if the closed credit union was loacted in Region IV, V or VI.

Record source categories:

The sole source of information for this system or records is the member-related files and accounting records of federally-insured credit unions which have been closed for liquidation and for which the Board, or its designee, serves as liquidating agent.

NCUA–19

System name:

Trusteed Account Records System, NCUA.

System location:

Records within this system of records are located at one of two NCUA Liquidation Centers: Region II (Capital) and Region V (Austin) for a period of time necessary to answer inquiries of credit union members and to transfer share and loan record information to the Director, Office of Examination and Insurance, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456 or an outside purchaser or a loan collection services. After such time, the remaining records are transferred for storage to one of twelve General Services Administration record storage centers.

Categories of individuals covered by the system:

Share balance and last known addresses of individuals by whom or on whose behalf insured share account payout claims have been filed.

Authority for maintenance of the system:

12 U.S.C. 1787.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Information is used to ensure proper payment of all trusteed account funds. (2) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on computer printout forms or accounting work papers and members account statements.

Retrievability:

Records are retrievable by individual name, credit union name, or a combination thereof.

Safeguards:

Records are stored in secured offices.

Retention and disposal:

Records are maintained until processing of claims is completed and, thereafter, are escheated to the appropriate state agency.

System manager(s) and address:

The system managers for this system of records are the two regional Directors located at the liquidation centers listed in "SYSTEM LOCATION" above.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the system manager listed above. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the system manager will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the system manager listed above.

Record source categories:

Files of federally-insured credit unions which are closed for liquidation.

NCUA-20

System name:

Investigation Files, NCUA.

System location:

Office of Internal Auditor, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456.

Categories of individuals covered by the system:

Employees of the NCUA.

Categories of records in the system:

Investigative reports.

Authority for maintenance of the system:

12 U.S.C. 1766(i)(1) and 1799(a)(7).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Information gathered is used for intra-agency purposes. (2) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Reports are maintained on paper hard copy.

Retrievability:

This system is indexed by name of complainant.

Safeguards:

Records are maintained in a locked file cabinet and are accessible only to the Director, Office of Internal Audit and designated assistants.

Retention and disposal:

After the report is reviewed by the Board and has served its intended purpose, it is retained for ten years and then destroyed unless otherwise directed.

System manager(s) and address:

Director, Office of Internal Auditor, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the system manager listed above. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the system manager will set forth the procedures for gaining access to available records.

Contesting record procedures:

Requests to amend or correct a record should be directed to the system manager listed above.

Record source categories:

The sources of records maintained in the system of records are the individual about whom the record is maintained, supervisors, other NCUA employees, credit union employees, members of the public and files maintained within NCUA.

NCUA-21

System name:

Consumer Complaints Against Federal Credit Unions, NCUA.

System location:

Information is maintained in NCUA's six Regional Offices (see Appendix B for Regional Offices' locations).

Categories of individuals covered by the system:

Persons who submit complaints concerning operating Federal credit unions.

Categories of records in the system:

Complaint letters, investigation reports, and related correspondence concerning the complainants and the involved Federal credit union.

Authority for maintenance of the system:

12 U.S.C. 1766(i)(1) and 1789(a)(7); 5 U.S.C. 301; 15 U.S.C. 1601–1693.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Information may be disclosed to officials of Federal credit unions and other persons mentioned in a complaint or identified during an investigation. (2) Disclosures may be made to the Federal Reserve Board, other Federal financial regulatory agencies, the Federal Financial Institutions Examination Council, the White House Office of Consumer Affairs, and the Congress or any of its authorized committees in fulfilling reporting requirements or assessing implementation of applicable laws and regulations. (Such disclosures will be made in a nonidentifiable manner when feasible and appropriate.) (3) Referrals may also be made to other Federal and nonfederal supervisory or regulatory authorities when the subject matter is a complaint or inquiry which is more properly within such agency's jurisdiction. (4) Standard routine uses as set forth in Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on paper or computer media.

Retrievability:

Records are retrievable from files by Federal credit union name, by complainant name, or assigned control number.

Safeguards:

Records are maintained in secured offices in either a file cabinet or on computer media.

Retention and disposal:

Records are retained for three years, then destroyed. Consumer's name, Federal credit union's name, subject of complaint, date received, and date resolved are kept indefinitely.

System manager(s) and address:

The information is maintained in NCUA's six Regional Offices (see Appendix B for Regional Offices' location).

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the system manager listed above. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Upon request, the system manager will set forth the procedures for gaining access to available records.

Contesting record procedures:

Request to amend or correct a record should be directed to the system manager listed above.

Record source categories:

Complainant (and his or her representative, which may include, e.g., a member of Congress or an attorney); Federal credit union officials; employees and members of the credit union involved; and NCUA examiners and central files on Federal credit unions.

NCUA-22

System name:

Litigation Case Files, NCUA.

System location:

Office of General Counsel, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456.

Categories of individuals covered by the system:

Records are maintained in files by the case name of individuals who are: The subject of NCUA investigations made in contemplation of legal action; involved in civil litigation with NCUA; involved in administrative proceedings; involved in litigation of interest to NCUA; or pursuing tort claims.

Categories of records in the system:

Records in case files include: Investigative reports relating to possible felonies or violations of the Federal Credit Union Act; transcripts of testimony or affidavits; documents and other evidentiary matter, pleadings and other documents filed in court; orders filed or issued in civil, administrative or criminal proceedings; correspondence relating to investigatory or litigation matters; information provided by the individual under investigation or from a Federal credit union; and other memoranda gathered and prepared by staff in performance of their duties.

Authority for maintenance of the system:

12 U.S.C. 1766, 1786, 1787, and 1789; 28 U.S.C. 2671–2680.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) The staff of the Office of General Counsel may use such records to render legal advice concerning investigations or courses of legal action; to represent NCUA in all judicial and administrative proceedings in which NCUA or any of its employees who, within the scope of employment and in an official capacity, is a party; or to intervene as an amicus curiae. (2) Standard routine uses set forth in Appendix A.

System manager(s) and address:

General Counsel, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to the individual by addressing a request in person or by mail to the system manager listed above. If there is no record on the individual, the individual will be so advised.

Record access procedures:

Requests to amend or correct a record should be directed to the system manager listed above.

Contesting record procedures:

Requests to amend or correct a record should be directed to the system manager listed above.

Record source categories:

Record source categories vary depending upon the legal issue but generally are obtained from the following: NCUA staff and internal agency memoranda; Federal employees and private parties involved in torts; contracts; Federal credit union files or officials; general law texts and sources; law enforcement officers; witnesses and others; administrative and court pleadings, transcripts or judicial orders/decisions; evidence gathered in connection with the matter involved; and from individuals to whom the records relate.

Systems exempted from certain provisions of the act:

This system is subject to the specific exemption provided by 5 U.S.C. 552a(k)(2), as the system of records is investigatory material compiled for law enforcement purposes.

Appendix A—Standard Routine Uses Applicable to NCUA Systems of Records

1. In the event that a system of records maintained by this Agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system or records may be referred, as a "routine use," to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

2. A record from a system of records may be disclosed as a "routine use" to a Federal, State, or local agency which maintains civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary, to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

3. A record from a system of records may be disclosed as a "routine use" to a Federal agency, in response to its request, for a matter concerning the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

4. A record from a system of records may be disclosed as a "routine use" to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. Further, a record from any system of records may be disclosed as a "routine use" to the Office of Personnel Management in accordance with the agency's responsibility for evaluation and oversight of Federal personnel management.

5. A record from a system of records may be disclosed as a "routine use" to officers and employees of a Federal agency for purposes of audit.

6. A record from a system of records may be disclosed as a "routine use" to a member of Congress or to a congressional staff member in response to an inquiry from the congressional office made at the request of the individual about whom the record is maintained.

7. A record from a system of records may be disclosed as a "routine use" to the officers and employees of the General Services Administration (GSA) in connection with administrative services provided to this Agency under agreement with GSA.

8. It shall be a routine use of the records maintained by this agency to disclose them to the Department of Justice when

(a) The Agency, or any component thereof; or

(b) Any employee of the Agency in his or her official capacity; or

(c) Any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the Agency determines the litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided, however, that in each case, the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

9. It shall be a routine use of records maintained by this Agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The Agency, or any component thereof; or

(b) Any employee of the Agency in his or her official capacity; or

(c) Any employee of the Agency in his or her individual capacity where the Agency has agreed to represent the employee; or

(d) The United States, where the Agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Appendix B—List of Regional Offices (Addresses and States Covered by Each Region)

I. NCUA Region I Regional Office: 9 Washington Square, Washington Square Extension, Albany, NY 12205. Phone: (518) 472-4554.

States covered: Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Puerto Rico, Rhode Island, Vermont, Virgin Islands.

II. NCUA Region II Regional Office: Eighth Floor, 1776 G Street, Washington, DC 20006, Phone: (202) 682-1900.

States covered: District of Columbia, Delaware, Maryland, Pennsylvania, Virginia, West Virginia.

III. NCUA Region III Regional Office: 7000 Central Parkway, Suite 1600, Atlanta, GA 30328. Phone: (404) 396-4042.

States covered: Arkansas, Alabama, Republic of Panama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Tennessee, South Carolina.

IV. NCUA Region IV Regional Office: 300 Park Boulevard, Suite 155, Itasca IL 60143, Phone: (312) 250-6000.

States covered: Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, North Dakota, Ohio, South Dakota, Wisconsin.

V. NCUA Region V Regional Office: 4807 Spicewood Springs Road, Building 5, Austin, TX 78759, Phone: (512) 482-4500.

States covered: Arizona, Colorado, Iowa, Kansas, Minnesota, Nebraska, New Mexico, North Dakota, South Dakota, Oklahoma, Texas, Utah, Wyoming.

VI. NCUA Region VI Regional Office: 2890 N. Main Street, Suite 101, Walnut Creek, CA 94596, Phone: (415) 486-3490.

States covered: Alaska, California, Guam, Hawaii, Idaho, Montana, Nevada, Oregon, Washington.

Title 12—Banks and Banking

Chapter VII-National Credit Union Administration

PART 792-REQUESTS FOR INFORMATION UNDER THE FREEDOM OF INFORMATION ACT AND PRIVACY ACT, AND BY SUBPOENA; SECURITY PROCEDURES FOR CLASSIFIED INFORMATION

Subpart B—The Privacy Act

Sec.
792.20 Scope.
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Authority: 5 U.S.C. 552a.

Source: 54 FR 18476, May 1, 1989.

Subpart B-The Privacy Act

§ 792.20 Scope.

This subpart governs requests made of NCUA under the Privacy Act (5 U.S.C. 552a). The regulation applies to all records maintained by NCUA which contain personal information about an individual and some means of identifying the individual, and which are contained in a system of records from which information may be retrieved by use of an identifying particular; sets forth procedures whereby individuals may seek and gain access to records concerning themselves and request amendments of those records; and sets forth requirements applicable to NCUA employees' maintaining, collecting, using, or disseminating such records.

§ 792.21 Definitions.

For purposes of this subpart:

(a) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence.

(b) "Maintain" includes maintain, collect, use, or disseminate.

(c) "Record" means any item, collection, or grouping of information about an individual that is maintained by NCUA, and that contains the name, or an identifying number, symbol, or other identifying particular assigned to the individual.

(d) "System of records" means a group of any records under NCUA's control from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

(e) "Routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

(f) "Statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided by section 8 of title 13 of the United States Code.

§ 792.22 Procedures for requests pertaining to individual records in a system of records.

(a) An individual seeking notification of whether a system of records contains a record pertaining to that individual, or an individual seeking access to information or records pertaining to that individual which are available under the Privacy Act shall present a request to the NCUA official identified in the access procedure section of the "Notice of Systems of Records" published in the **Federal Register** which describes the system of records to which the individual's request relates. An individual who does not have access to the **Federal Register** and who is unable to determine the appropriate official to whom a request should be submitted may submit a request to the Director of the Administrative Office, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456, in which case the request will then be referred to the appropriate NCUA official and the date of receipt of the request will be determined as the date of receipt by the official.

(b) In addition to meeting the identification requirements set forth in § 792.23, an individual seeking notification or access, either in person or by mail, shall describe the nature of the record sought, the approximate dates covered by the record, and the system in which it is thought to be included, as described in the "Notice of Systems of Records" published in the **Federal Register**.

§ 792.23 Times, places, and requirements for identification of individuals making requests and identification of records requested.

(a) The following standards are applicable to an individual submitting requests either in person or by mail under § 792.22:

(1) If not personally known to the NCUA official responding to the request, an individual seeking access to records about that individual in person shall establish identity by the presentation of a single document bearing a photograph (such as a passport or identification badge) or by the presentation of two items of identification which do not bear a photograph but do bear both a name and address (such as a driver's license or credit card);

(2) An individual seeking access to records about that individual by mail may establish identity by a signature, address, date of birth, employee identification number if any, and one other identifier such as a photocopy of driver's license or other document. If less than all of this requisite identifying information is provided, the NCUA official responding to the request may require further identifying information prior to any notification or responsive disclosure.

(3) An individual seeking access to records about that individual by mail or in person, who cannot provide the required documentation or identification, may provide a notarized statement affirming identity and recognition of the penalties for false statements pursuant to 18 U.S.C. 1001.

(b) The parent or guardian of a minor or a person judicially determined to be incompetent shall, in addition to establishing identity of the minor or other person as required in paragraph (a) of this section, furnish a copy of a birth certificate showing parentage or a court order establishing guardianship.

(c) An individual may request by telephone notification of the existence of and access to records about that individual and contained in a system of records. In such a case, the NCUA official responding to the request shall require, for the purpose of comparison and verification of identity, at least two items of identifying information (such as date of birth, home address, social security number) already possessed by the NCUA. If the requisite identifying information is not provided, or otherwise at the discretion of the responsible NCUA official, an individual may be required to submit the request by mail or in person in accordance with paragraph (a) of this section.

(d) An individual seeking to review records about that individual may be accompanied by another person of their own choosing. In such cases, the individual seeking access shall be required to furnish a written statement authorizing discussion of that individual's records in the accompanying person's presence.

(e) In addition to the requirements set forth in paragraphs (a), (b) and (c) of this section, the published "Notice of System of Records" for individual systems may include further requirements of identification where necessary to retrieve the individual records from the system.

§ 792.24 Notice of existence of records, access decisions and disclosure of requested information; time limits.

(a) The NCUA official identified in the record access procedure section of the "Notice of Systems of Records" and identified in accordance with § 792.22(a), by an individual seeking notification of, or access to, a record, shall be responsible: (1) For determining whether access is available under the Privacy Act; (2) for notifying the requesting individual of that determination; and (3) for providing access to information determined to be available. In the case of an individual access request made in person, information determined to be available shall be provided by allowing a personal review of the record or portion of a record containing the information requested and determined to be available, and the individual shall be allowed to have a copy of all or any portion of available information made in a form comprehensible to him. In the case of an individual access request made by mail, information determined to be available shall be provided by mail, unless the individual has requested otherwise.

(b) The following time limits shall be applicable to the required determinations, notification and provisions of access set forth in paragraph (a) of this section:

(1) A request concerning a single system of records which does not require consultation with or requisition of records from another agency shall be responded to within 10 working days after receipt of the request;

(2) A request requiring requisition of records from or consultation with another agency shall be responded to within 10 working days after such requisition or resolution of the required consultation. Such required requisition or consultation shall be initiated within 10 working days after receipt of the request;

(3) If a request under paragraphs (b) (1) or (2) of this section presents unusual difficulties in determining whether the records involved are exempt from disclosure, the Director of the Administrative Office may, upon written request of the official responsible for action upon the record request, extend the time period established by these regulations for an additional 15 working days.

(c) Nothing in this section shall be construed to allow an individual access to any information compiled in reasonable anticipation of a civil action or proceeding, or any information exempted from the access provisions of the Privacy Act.

§ 792.25 Special procedures: Information furnished by other agencies; medical records.

(a) When a request for records or information from NCUA includes information furnished by other Federal agencies, the NCUA official responsible for action on the request shall consult with the appropriate agency prior to making a decision to disclose or refuse access to the record, but the decision whether to disclose the record shall be made in the first instance by the NCUA official.

(b) When an individual requests medical records concerning that individual, the NCUA official responsible for action on the request may advise the individual that the records will be provided only to a physician designated in writing by the individual. Upon receipt of the designation and upon proper verification of identity, the NCUA official shall permit the physician to review the records or to receive copies of the records by mail. The determination of which records should be made available directly to the individual and which records should not be disclosed directly because of possible harm to the individual shall be made by the NCUA official responsible for action on the request.

§ 792.26 Requests for correction or amendment to a record; administrative review of requests.

(a) An individual may request amendment of a record concerning that individual by addressing a request, either in person or by mail, to the NCUA official identified in the "contesting record procedures" section of the "Notice of Systems of Records" published in the **Federal Register** and describing the system of records which contains the record sought to be amended. The request must indicate the particular record involved, the nature of the correction sought, and the justification for the correction or amendment. Requests made by mail should be addressed to the responsible NCUA official at the address specified in the "Notice of Systems of Records" describing the system of records which contains the contested record. An individual who does not have access to the NCUA's "Notice of Systems of Records," and to whom the appropriate address is otherwise unavailable may submit a request to the Director of the Administrative Office, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456, in which case the request will then be referred to the appropriate NCUA official. The date of receipt of the request will be determined as of the date of receipt by that official.

(b) Within 10 working days of receipt of the request, the appropriate NCUA official shall advise the individual that the request has been received. The appropriate NCUA official shall then promptly (under normal circumstances, not later than 30 working days after receipt of the request) advise the individual that the record is to be amended or corrected, or inform the individual of rejection of the request to amend the record, the reason for the rejection, and the procedures established by § 792.27 for the individual to request a review of that rejection.

§ 792.27 Appeal of initial determination.

(a) A rejection, in whole or in part, of a request to amend or correct a record may be appealed to the General Counsel within 30 working days of receipt of notice of the rejection. Appeals shall be in writing, and shall set forth the specific item of information sought to be corrected and the documentation justifying the correction. Appeals shall be addressed to the Office of General Counsel, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456. Appeals shall be decided within 30 working days of receipt unless the General Counsel, for good cause, extends such period for an additional 30 working days.

(b) Within the time limits set forth in paragraph (a) of this section, the General Counsel shall either advise the individual of a decision to amend or correct the record, or advise the individual of a determination that an amendment or correction is not warranted on the facts, in which case the individual shall be advised of the right to provide for the record a "Statement of Disagreement" and of the right to further appeal pursuant to the Privacy Act. For records under the jurisdiction of the Office of Personnel Management, appeals will be made pursuant to that agency's regulations.

(c) A statement of disagreement may be furnished by the individual. The statement must be sent, within 30 days of the date of receipt of the notice of General Counsel refusal to authorize correction, to the General Counsel, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456. Upon receipt of a statement of disagreement in accordance with this section, the General Counsel shall take steps to ensure that the statement is included in the system of records containing the disputed item and that the original item is so marked to indicate that there is a statement of dispute and where, within the system of records, that statement may be found.

(d) When a record has been amended or corrected or a statement of disagreement has been furnished, the system manger for the system of records containing the record shall, within 30 days thereof, advise all prior recipients of information to which the amendment or statement of disagreement relates whose identity can be determined by an accounting made as required by the Privacy Act of 1974 or any other accounting previously made, of the amendment or statement of disagreement. When a statement of disagreement has been furnished, the system manager shall also provide any subsequent recipient of a disclosure containing information to which the statement relates with a copy of the statement and note the disputed portion of the information disclosed. A concise statement of the reasons for not making the requested amendment may also be provided if deemed appropriate.

(e) If access is denied because of an exemption, the individual shall be notified of the right to appeal that determination to the General Counsel within 180 days after receipt of the determination. Such an appeal shall be determined within 30 days.

§ 792.28 Disclosure of record to person other than the individual to whom it pertains.

No record or item of information concerning an individual which is contained in a system of records maintained by NCUA shall be disclosed by any means of communication to any person, or to another agency, without the prior written consent of the individual to whom the record or item of information pertains, unless the disclosure would be—

(a) To an employee of the NCUA who has need for the record in the performance of duty;

(b) Required by the Freedom of Information Act;

(c) For a routine use as described in the "Notice of Systems of Records," published in the **Federal Register**, which describes the system of records in which the record or item of information is contained;

(d) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of Title 13 of the United States Code;

(e) To a recipient who has provided the NCUA with advance adequate written assurance that the record or item will be used soley as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(f) To the National Archives and Records Administration as a record or item which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Archivist of the United States or the designee of the Archivist to determine whether the record has such value;

(g) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to NCUA specifying the particular portion desired and the law enforcement activity for which the record or item is sought;

(h) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if, upon such disclosure, notification is transmitted to the last known address of such individual;

(i) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(j) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(k) Pursuant to the order of a court of competent jurisdiction; or

(l) To a consumer reporting agency in accordance with section 3711(f) of Title 31 of the United States Code (31 U.S.C. 3711(f)).

§ 792.29 Accounting for disclosures.

(a) Each system manager identified in the "Notice of Systems of Records" as published in the **Federal Register** for each system of records maintained by the NCUA, shall establish a system of accounting for all disclosures of information or records concerning individuals and contained in the system of records, made outside NCUA. Accounting procedures may be established in the least expensive and most convenient form that will permit the system manager to advise individuals, promptly upon request, of the persons or agencies to which records concerning them have been disclosed.

(b) Accounting records, at a minimum, shall include the information disclosed, the name and address of the person or agency to whom disclosure was made, and the date of disclosure. When records are transferred to the National Archives and Records Administration for storage in records centers, the accounting pertaining to those records shall be transferred with the records themselves.

(c) Any accounting made under this section shall be retained for at least five years or the life of the record, whichever is longer, after the disclosure for which the accounting is made.

§ 792.30 Requests for accounting for disclosures.

At the time of the request for access or correction or at any other time, an individual may request an accounting of disclosures made of the individual's record outside the NCUA. Request for accounting shall be directed to the system manager. Any available accounting, whether kept in accordance with the requirements of the Privacy Act or under procedures established prior to September 27, 1975, shall be made available to the individual, except that an accounting need not be made available if it relates to:

(a) A disclosure made pursuant to the Freedom of Information Act (5 U.S.C. 552);

(b) A disclosure made within the NCUA;

(c) A disclosure made to a law enforcement agency pursuant to 5 U.S.C. 552a(b)(7);

(d) A disclosure which has been exempted from the provisions of 5 U.S.C. 552a(c)(3) pursuant to 5 U.S.C. 552a (j) or (k).

§ 790.31 Collection of information from individuals; information forms.

(a) The system manager, as identified in the "Notice of Systems of Records" published in the **Federal Register** for each system of records maintained by the Administration, shall be responsible for reviewing all forms developed and used to collect information from or about individuals for incorporation into the system of records.

(b) The purpose of the review shall be to eliminate any requirement for information that is not relevant and necessary to carry out an NCUA function and to accomplish the following objectives:

(1) To ensure that no information concerning religion, political beliefs or activities, association memberships (other than those required for a professional license), or the exercise of other First Amendment rights is required to be disclosed unless such requirement of disclosure is expressly authorized by statute or is pertinent to and within the scope of any authorized law enforcement activity;

(2) To ensure that the form or accompanying statement makes clear to the individual which information by law must be disclosed and the authority for that requirement, and which information is voluntary;

(3) To ensure that the form or accompanying statement makes clear the principal purpose or purposes for which the information is being collected, and states concisely the routine uses that will be made of the information;

(4) To ensure that the form or accompanying statement clearly indicates to the individual the existing rights, benefits or privileges not to provide all or part of the requested information; and

(5) To ensure that any form requesting disclosure of a social security number, or an accompanying statement, clearly advises the individual of the statute or regulation requiring disclosure of the number, or clearly advises the individual that disclosure is voluntary and that no consequence will flow from a refusal to disclose it, and the uses that will be made of the number whether disclosed mandatorily or voluntarily.

(c) Any form which does not meet the objectives specified in the Privacy Act and this section shall be revised to conform thereto.

§ 792.32 Contracting for the operation of a system of records.

(a) No NCUA component shall contract for the operation of a system of records by or on behalf of the Agency without the express approval of the NCUA Board.

(b) Any contract which is approved shall continue to ensure compliance with the requirements of the Privacy Act. The contracting component shall have the responsibility for ensuring that the contractor complies with the contract requirements relating to the Privacy Act.

§ 792.33 Fees.

(a) Fees pursuant to 5 U.S.C. 552a(f)(5) shall be assessed for actual copies of records provided to individuals on the following basis, unless the NCUA official determining access waives the fee because of the inability of the individual to pay or the cost of collecting the fee exceeds the fee:

(1) For actual copies of documents, 25 cents per page; and

(2) For copying information, if any, maintained in nondocument form, the direct cost to NCUA may be assessed.

(b) If it is determined that access fees chargeable under this Section will amount to more than $25, and the individual has not indicated in advance willingness to pay fees as high as are anticipated, the individual shall be notified of the amount of the anticipated fees before copies are made, and the individual's access request shall not be considered to have been received until receipt by NCUA of written agreement to pay.

§ 792.34 Exemptions.

(a) NCUA maintains three systems of records which are exempted from some of the provisions of the Privacy Act. In paragraph (b) of this section, those systems of records are identified by System Name and System Number, as stated in the NCUA's "Notice of Systems of Records," published in the **Federal Register.** The provisions from which each system is exempted and the reasons therefor are also set forth.

(b)(1) System NCUA–1, entitled "Employee Security Investigations Containing Adverse Information," consists of adverse information about NCUA employees which has been obtained as a result of routine Office of Personnel Management Security Investigations. To the extent that NCUA maintains records in this system pursuant to Office of Personnel Management guidelines which require or may require retrieval of information by use of individual identifiers, those records are encompassed by and included in the Office of Personnel Management Government-Wide System of Records Number 4, entitled "Personnel Investigations Records," and thus are subject to the applicable specific exemptions promulgated by the Office of Personnel Management. Additionally, in order to ensure the protection of properly confidential sources, particularly as to those records which are not maintained pursuant to such Office of Personnel Management requirements, the records in these systems of records are exempted, pursuant to section k(5) of the Privacy Act (5 U.S.C. 552a(k)(5)), from section (d) of the Act (5 U.S.C. 552a(d)). To the extent that disclosure of a record would reveal the identity of a confidential source, NCUA need not grant access to that record by its subject. Information which would reveal a confidential source shall, however, whenever possible, be extracted or summarized in a manner which protects the source and the summary or extract shall be provided to the requesting individual.

(2) System NCUA–4, entitled "Investigative Reports Involving Possible Felonies and/or Violations of the Federal Credit Union Act," consists of a limited number of records about individuals suspected or involvement in felonies or infractions under the Federal Credit Union Act or criminal statutes. These records are maintained in an overall context of general investigative information concerning crimes against credit unions. To the extent that individually identifiable information is maintained, however, for purposes of protecting the security of any investigations by appropriate law enforcement authorities and promoting the successful prosecution of all actual criminal activity, the records in this system are exempted, pursuant to section k(2) of the Privacy Act (5 U.S.C. 552a(k)(2)), from sections (c)(3), and (d)). NCUA need not make an accounting of previous disclosures of a record in this system of records available to its subject, the NCUA need not grant access to any records in this system of records by their subject. Further, whenever individuals request records about themselves and maintained in this system of records, the NCUA shall, to the extent necessary to realize the above-stated purposes, neither confirm nor deny the existence of the records but shall advise the individuals only that no records available to them pursuant to the Privacy Act of 1974 have been identified. However, should review of the record reveal that the information contained therein has been used or is being used to deny the individuals any right, privilege or benefit for which they are eligible or to which they would otherwise be entitled under Federal law, the individuals shall be advised of the existence of the information and shall be provided the information, except to the extent disclosure would identify a confidential source. Information which would identify a confidential source shall, if possible, be extracted or summarized in a manner which protects the source and the summary or extract

shall be provided to the requesting individual.

(c) For purposes of this Section, a "confidential source" means a source who furnished information to the Government under an express promise that the identity of the source would remain confidential, or; prior to September 27, 1976, under an implied promise that the identity of the source would be held in confidence.

§ 792.35 Security of systems of records.

(a) Each system manager, with the approval of the head of that Office, shall establish administrative and physical controls to insure the protection of a system of records from unauthorized access or disclosure and from physical damage or destruction. The controls instituted shall be proportional to the degree of sensitivity of the records, but at a minimum must insure: that records are enclosed in a manner to protect them from public view; that the area in which the records are stored is supervised during all business hours to prevent unauthorized personnel from entering the area or obtaining access to the records; and that the records are inaccessible during nonbusiness hours.

(b) Each system manager, with the approval of the head of that Office, shall adopt access restriction to insure that only those individuals within the agency who have a need to have access to the records for the performance of duty have access. Procedures shall also be adopted to prevent accidental access to or dissemination of records.

§ 792.36 Use and collection of Social Security numbers.

The head of each NCUA Office shall take such measures as are necessary to ensure that employees authorized to collect information from individuals are advised that individuals may not be required without statutory or regulatory authorization to furnish Social Security numbers, and that individuals who are requested to provide Social Security numbers voluntarily must be advised that furnishing the number is not required and that no penalty or denial of benefits will flow from the refusal to provide it.

§ 792.37 Training and employee standards of conduct with regard to privacy.

(a) The Director of the Administrative Office, with advice from the General Counsel, shall be responsible for training NCUA employees in the obligations imposed by the Privacy Act and this subpart.

(b) The head of each NCUA Office shall be responsible for assuring that employees subject to that person's supervision are advised of the provisions of the Privacy Act, including the criminal penalties and civil liabilities provided therein, and that such employees are made aware of their responsibilities to protect the security of personal information, to assure its accuracy, relevance, timeliness, and completeness, to avoid unauthorized disclosure either orally or in writing, and to insure that no information system concerning individuals, no matter how small or specialized, is maintained without public notice.

(c) With respect to each system of records maintained by NCUA, Agency employees shall:

(1) Collect no information of a personal nature from individuals unless authorized to collect it to achieve a function or carry out an NCUA responsibility;

(2) Collect from individuals only that information which is necessary to NCUA functions or responsibilities;

(3) Collect information, wherever possible, directly from the individual to whom it relates;

(4) Inform individuals from whom information is collected of the authority for collection, the purposes thereof, the routine uses that will be made of the information, and the effects, both legal and practical of not furnishing the information;

(5) Not collect, maintain, use, or disseminate information concerning an individual's religious or political beliefs or activities or his membership in associations or organizations, unless:

(i) The individual has volunteered such information for his own benefit;

(ii) The information is expressly authorized by statute to be collected, maintained, used, or disseminated; or

(iii) Activities involved are pertinent to and within the scope of an authorized investigation or adjudication.

(6) Advise their supervisors of the existence or contemplated development of any record system which retrieves information about individuals by individual identifier.

(7) Maintain an accounting, in the prescribed form, of all dissemination of personal information outside NCUA, whether made orally or in writing;

(8) Disseminate no information concerning individuals outside NCUA except when authorized by 5 U.S.C. 552a or pursuant to a routine use as set forth in the "routine use" section of the "Notice of Systems of Records" published in the **Federal Register**.

(9) Maintain and process information concerning individuals with care in order to ensure that no inadvertent disclosure of the information is made either within or outside NCUA; and

(10) Call to the attention of the proper NCUA authorities any information in a system maintained by NCUA which is not authorized to be maintained under the provisions of the Privacy Act, including information on First Amendment activities, information that is inaccurate irrelevant or so incomplete as to risk unfairness to the individuals concerned.

(c) Heads of offices within NCUA shall, at least annually, review the record systems subject to their supervision to ensure compliance with the provisions of the Privacy Act.

NATIONAL LABOR RELATIONS BOARD

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Appendix

NLRB-1

System name:

Accounting Records—Financial.

Security classification:

None.

System location:

Current records are maintained in: Financial Management Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570. Each Washington and Field Office is authorized to maintain copies of records relating to reimbursements to employees of that office and other individuals covered within the system. See the attached appendix for addresses of these offices. Inactive records are stored at the appropriate Federal records center in accordance with regulations issued by the National Archives and Records Administration (36 CFR 1228.152).

Categories of individuals covered by the system:

Individuals reimbursed for expenses in connection with the official functions of the NLRB: i.e., travel on official business, witness fees and transportation expenses, and miscellaneous expenses.

Categories of records in the system:

Records may include name; home or office address; organizational unit number; purpose, duration, and cost for travel assignment of Agency employees; purpose, duration, points of travel, and cost for witnesses used by the Agency; purpose, category, and cost of miscellaneous expenses incurred by Agency employees.

Authority for maintenance of the system:

5 U.S.C. 5701 et seq.; 29 U.S.C. 153, 155, 159, 160, and 161(4).

Purpose(s):

These records document financial transactions regarding reimbursement of expenses in connection with official NLRB functions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records, or information therefrom, are disclosed to:

1. Agency officials and employees who have a need for the records or information:

a. In the processing of claims for reimbursements.

b. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies.

2. Individuals making general requests for statistical information (without personal identification of individuals).

3. Individuals who need the information in connection with the processing of an appeal, grievance, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

4. The U.S. General Accounting Office for audit purposes or determination of validity of claims.

5. The U.S. Department of Treasury for issuance of checks.

6. The appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

7. Another agency, whether Federal, State, or local, or private organization where reimbursable arrangements exist between this Agency and such other agency or private organization.

8. A congressional office in response to an inquiry from the congressional office made at the request of the subject individual.

9. Officials of labor organizations recognized under Pub. L. 95-454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

10. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

11. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on original source documents except travel summary cards, some of which are also maintained on microfilm.

Retrievability:

Chronologically by year, and within each year alphabetically by name.

Safeguards:

Original source documents are maintained in file cabinets within the Finance Section offices. Microfilm is maintained in locked cabinets within Finance Section offices. During duty hours cabinets are under surveillance of personnel charged with custody of the records, and after duty hours are behind locked doors. Access is limited to personnel who have a need for access in order to perform their official functions.

Retention and disposal:

Maintained and disposed of in accordance with the provisions of applicable General Records Schedules issued by the National Archives and Records Administration.

System manager(s) and address:

Finance Officer, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

See the attached appendix for the titles and addresses of officials at other locations responsible for this system at their locations.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

Travel vouchers, witness vouchers, and lodging and miscellaneous receipts submitted by the individual; travel orders submitted by Agency officials; subpoenas; claims for reimbursements; and miscellaneous correspondence and information related thereto.

NLRB–2

System name:

Applicant Files for Attorney and Filed Examiner Positions.

Security classification:

None.

System location:

Office of Executive Assistant, Division of Operations Management; Board Members' Offices; Office of Representation Appeals; Office of the Solicitor, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

Washington and Field Offices are authorized to maintain the records or copies of the records in connection with processing of applications for employment in the Agency. See the attached appendix for addresses of the Washington and Field Offices.

Categories of individuals covered by the system:

Applicants for Attorney or Field Examiner positions in offices under the general supervision of the General Counsel; applicants for Attorney positions on Board Members' staffs, in the Office of the Solicitor, and in the Office of Representation Appeals.

Categories of records in the system:

Records may include copies of employment applications, educational transcripts, resumes, employment interview reports, and other information related to employment.

Authority for maintenance of the system:

5 U.S.C. 3301 et seq.; 29 U.S.C. 153(d), 154, 159, and 160.

Purpose(s):

These records document the skills and background of applicants for attorney and field examiner positions within the NLRB.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records, or information therefrom, are disclosed to:

1. Agency officials and employees who have a need for the records or information:

a. To process applications and evaluate applicants.

b. As a data source for management information for production of summary statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies.

2. Individuals making general requests for statistical information (without personal identification of individuals).

3. Individuals who need the information in connection with the processing of a grievance, appeal, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

4. A congressional office in response to an inquiry from the congressional office made at the request of the subject individual.

5. Officials of labor organizations recognized under Pub. L. 95-454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

6. The appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

7. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

8. To a court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency or any component thereof, or (b) any employee of the Agency in his or her official capacity, or (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on paper including forms, letters, and memoranda.

Retrievability:

Alphabetically by name.

Safeguards:

Maintained in file cabinets. During duty hours cabinets are under surveillance of personnel charged with custody of the records and after duty hours are behind locked doors. Access to the cabinets is limited to personnel having a need for access to perform their official functions.

Retention and disposal:

Employment applications not resulting in appointment are destroyed when 2 years old.

System manager(s) and address:

1. To those applicants for positions under supervision of the General Counsel—Executive Assistant, Division of Operations Management, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

2. To those applicants for positions under supervision of a Board Member—Chief Counsel to that Board Member, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

3. Attorneys under supervision of the Director, Office of Representation Appeals—Director, Office of Representation Appeals, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

4. To those applicants for positions under supervision of the Solicitor—Solicitor, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

See the attached appendix for titles and addresses of officials at other locations responsible for this system at their locations.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102 117(h).

Record source categories:

Applicants, educational institutions, interviewers, evaluators, personnel specialists, references, previous employers.

NLRB–3

System name:

Biographical Data File—Presidential Appointees.

Security classification:

None.

System location:

Division of Information, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

Categories of individuals covered by the system:

Present and former Presidential appointees to NLRB positions.

Categories of records in the system:

Records may include biolgraphical sketches, news releases, news articles or speeches and other newsmaking activities; photographs, and material incidental thereto.

Authority for maintenance of the system:

29 U.S.C. 153 (a) and (d), 154(a); 44 U.S.C. 3101.

Purpose(s):

These records document pertinent aspects of the personal and professional history of NLRB's most senior officials.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records, or information therefrom, are disclosed to:

1. Agency officials and employees who have a need for the records or information in the performance of their duties.

2. The public upon demonstrated interest.

3. A congressional office in response to an inquiry from the congressional office made at the request of the subject individual.

4. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

5. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on original sources or related papers in file folders.

Retrievability:

Alphabetically by name.

Safeguards:

Maintained in file cabinets within the Office of the Executive Secretary. During duty hours, cabinets are under the surveillance of office personnel charged with custody of the records, and after duty hours are behind locked doors.

Retention and disposal:

Permanently retained.

System manager(s) and address:

Director, Division of Information, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the System Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

Information in this system is submitted by the individual, written by Agency staff and approved by the individual, and obtained from general news sources.

NLRB–4

System name:

Claim Records.

Security classification:

None.

System location:

Chief, Administrative Services Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

Categories of individuals covered by the system:

Individuals filing claims under the Federal Tort Claims Act of 1946; the Military Personnel and Civilian Employees' Claims Act of 1964; claims filed under 41 CFR 101–39.4, Interagency Fleet Management Systems, Accidents and Claims; and claims under contracts with rental car companies.

Categories of records in the system:

Records may include reports of accidents or other events causing damage or loss; data bearing upon the scope of employment of motor vehicle operators; statements of witnesses; claims for damage or loss; investigations of claims, including doctors' reports, it any; police reports; rental agreements; repair estimates; records on disposition of claims; and information related to the above.

Authority for maintenance of the system:

28 U.S.C. 2671 et seq.; 29 U.S.C. 153(d), 154(a) and (b); 31 U.S.C. 3701 et seq.

Purpose(s):

These records document the initiation, investigation and disposition of claims filed with the NLRB.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records, or information therefrom, ae disclosed to:

1. Agency officials and employees who have a need for the records or information:

a. In processing claims against this Agency.

b. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies.

2. Individuals making general requests for statistical information (without personal identification of individuals).

3. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

4. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

5. Investigators utilized by the Agency to obtain information relevant to a claim against the Agency.

6. The appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

7. A congressional office in response to an inquiry from the congressional office made at the request of the subject individual.

8. Individuals who have a need for the information in connection with the processing of an appeal, grievance, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

9. Officials of labor organizations recognized under Pub. L. 95-454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on forms, documents, and other papers.

Retrievability:

Alphabetically by name.

Safeguards:

Maintained in file safe within the office of the Chief, Administrative Services Branch. During duty hours file safe is under the surveillance of personnel charged with the custody of the records, and after duty hours is behind locked doors. Access is limited to personnel who have a need for access to perform their official functions.

Retention and disposal:

Claims reports involving pecuniary liability are destroyed 10 years after the close of the fiscal year in which final action was taken. All other claims reports are destroyed 3 years after the close of the fiscal year in which final action was taken.

System manager(s) and address:

Chief, Administrative Services Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the System Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the System Manager is accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

Claimants, investigators, and witnesses.

NLRB-5

System name:

Employment and Performance Records, Attorneys and Field Examiners.

Security classification:

None.

System location:

Office of Executive Assistant, Division of Operations Management; Board Members' Offices; Office of Representation Appeals; Office of the Solicitor, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

Washington and Field Offices are authorized to maintain the records or copies of the records for current and former NLRB employees of that office. See the attached appendix for addresses of the Washington and Field Offices.

Categories of individuals covered by the system:

Current and former Attorneys and Field Examiners in offices under the general supervision of the General Counsel; current and former Attorneys employed on Board Members' Staffs, in the Office of the Solicitor, and in the Office of Representation Appeals.

Categories of records in the system:

Records may include copies of employment applications, copies of personnel records, educational transcripts, résumés, employment interview reports, evaluation reports, career development appraisals, recommendations concerning promotion, copies of the official personnel file, correspondence, memoranda, and other information relevant thereto.

Authority for maintenance of the system:

5 U.S.C. 4301 et seq.; 29 U.S.C. 153(d), 154, 159, 160.

Purpose(s):

These records document employee actions and performance appraisals.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records, or information therefrom, are disclosed to:

1. Agency officials and employees who have a need for the records or information.

2. Individuals who have a need for the information in connection with the processing of an appeal, grievance, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

3. A congressional office in response to any inquiry from the congressional office made at the request of the subject individual.

4. Officials of labor organizations recognized under Pub. L. 95-454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished indepersonalized form, i.e., without personal identifiers.

5. The appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

6. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her individual capacity, (c) any employee of the Agency in his or her official capacity where the Department of Justice has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

7. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on paper including forms, letters, and memoranda, and on magnetic disks.

Retrievability:

Alphabetically by name.

Safeguards:

Maintained in file cabinets. During duty hours cabinets are under the surveillance of personnel charged with custody of the records, and after duty hours are behind locked doors. Access is limited to personnel having a need for access to perform their official functions. Data captured on magnetic disks are limited to those with access codes and are stored in a locked room during and after duty hours.

Retention and disposal:

Retained in accordance with applicable General Records Schedules issued by the National Archives and Records Administration.

System manager(s) and address:

1. Attorneys and field examiners under supervision of the General Counsel—Executive Assistant, Division of Operations Management, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

2. Attorneys under supervision of a Board Member—Chief Counsel to that Board Member, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

3. Attorneys under supervision of the Director, Office of Representation Appeals—Director, Office of Representation Appeals, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

4. Attorneys under supervision of the Solicitor—Solicitor, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

See the attached appendix for titles and addresses of officials at other locations responsible for this system at their locations.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

The individual, the Personnel Branch, educational institutions, interviewers, evaluators, references, previous employers, and supervisors.

NLRB-6

System name:

Employment and Performance Records, Nonprofessionals and Nonlegal Professionals.

Security classification:

None.

System location:

Records are authorized to be maintained for current and former NLRB employees in all Agency offices. See the attached appendix for the addresses of these offices.

Categories of individuals covered by the system:

Current and former nonprofessional employees and nonlegal professional employees of the Agency.

Categories of records in the system:

Records may include copies of employment applications, educational transcripts, resumes, employment interview reports, evaluation reports, career development appraisals, recommendations concerning promotion, copies of personnel records, correspondence, memoranda, and other information relevant thereto.

Authority for maintenance of the system:

5 U.S.C. 4301 et seq.; 29 U.S.C. 153(d), 154, 159, 160.

Purpose(s):

These records document employee actions and performance appraisals.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records, or information therefrom, are disclosed to:

1. Agency officials and employees who have a need for the records or information to evaluate job performance, developmental needs, potential within the Agency, and readiness for promotion.

2. Individuals who have a need for the information in connection with the processing of a grievance, appeal, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

3. A congressional office in response to an inquiry from the congressional office made at the request of the subject individual.

4. Officials of labor organizations recognized under Pub. L. 95-454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

5. The appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

6. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

7. A court or other adjudicative body before the Agency is authorized to appear, when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on paper including forms, letters, and memoranda, and on magnetic disks.

Retrievability:

Alphabetically by name.

Safeguards:

Maintained in file cabinets. During duty hours cabinets are under the surveillance of personnel charged with custody of the records, and after duty hours are behind locked doors. Access is limited to personnel having a need for access to perform their official functions. Data captured on magnetic disks are limited to those with access codes and are stored in a locked room during and after duty hours.

Retention and disposal:

Retained in accordance with applicable General Records Schedules issued by the National Archives and Records Administration.

System manager(s) and address:

See the attached appendix for the titles and addresses of officials responsible for this system at their locations.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

The individual, the Personnel Branch, professional employees, educational institutions, interviewers, evaluators, references and previous employers.

NLRB-7

System name:

Grievances, Appeals, Complaints, and Related Litigation Records.

Security classification:

None.

System location:

Records are authorized to be maintained for current and former NLRB employees in all Agency offices. See the attached appendix for the addresses of these offices.

Categories of individuals covered by the system:

Current and former employees of the Agency.

Categories of records in the system:

Records may include formal or informal grievances, appeals, and complaints, together with information and documents related thereto;

letters or notices to the individual; records of hearings when conducted; material placed in the file to support or contradict the decision or determination on such grievance, appeal, or compliant; affidavits or statements; testimonies of witnesses; investigative reports; related correspondence and recommendations; and records on court proceedings, arbitration, or subsequent litigation.

Authority for maintenance of the system:

5. U.S.C. 7101 et seq.; 5-U.S.C. 7501 et seq.; 5 U.S.C. 7701 et seq.; 29 U.S.C. 153(d), 154.

Purpose(s):

These records document the employee grievance process within the NLRB, and also contain material gathered and used in representing the Agency in other appeals, complaints, and litigation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The records, or information therefrom, are disclosed to:

1. Agency officials and employees who have a need for the records or information in the performance of their duties.

2. Individuals who have a need for the information in connection with the processing of a grievance, appeal, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

3. An arbitrator for use in arbitrating a grievance or complaint.

4. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

5. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

6. Officials of labor organizations recognized under Pub. L. 95-454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

7. A congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the subject individual.

8. The appropriate Federal (including offices of Inspector General), State, or local government agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the Agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

9. Individuals making general requests for statistical information (without personal identification of individuals).

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on forms, documents, letters, memoranda, and other similar papers.

Retrievability:

Alphabetically by name of individual or party filing a grievance, claim, or complaint.

Safeguards:

Access to and use of the records are limited to those persons whose official duties require such access until the records are required to be made public in support of an Agency action or position. These records are maintained in file cabinets which during duty hours are under the surveillance of personnel charged with custody of the records and after duty hours are behind locked doors.

Retention and disposal:

Placed in inactive file when case is closed. Destroyed 3 years after the end of the fiscal year in which the case is closed.

System manager(s) and address:

1. To those employees under supervision of the General Counsel—Deputy General Counsel, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

2. To those employees under supervision of the Board—Deputy Executive Secretary, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

See the attached appendix for titles and addresses of officials responsible for this system at their locations.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

Information in this system is obtained from the individual to whom the record pertains; Agency officials; affidavits, statements, and record testimony of individuals; and other documents and memoranda relating to the grievance, appeal, or complaint.

NLRB-8

System name:

Health Maintenance Program Records.

Security classification:

None.

System location:

Personnel Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

Categories of individuals covered by the system:

Current NLRB employees participating in Agency-sponsored health maintenance programs, such as diabetes tests, glaucoma tests, vision tests, blood donor program, and similar programs.

Categories of records in the system:

Records may involve recorded information on individual's names and dates of participation in health maintenance programs, and the name of the screening program in which participated. Also, for blood donor program, contains social security number, sex, donor identification number, home address and telephone, date of last donation, medications being taken, blood type, whether accepted or deferred as donor, and information relevant to the above.

Authority for maintenance of the system:

5 U.S.C. 7901; 29 U.S.C. 153(a) and (d), 154.

Purpose(s):

These records document employee participation in the NLRB health maintenance programs such as screening and blood donor programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records, or information therefrom, are disclosed to:

1. Agency officials and employees working with the program who have a need for the records or information:

a. The administration of voluntary health maintenance programs.

b. As a data source for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained (without personal identification of individuals).

2. Individuals making general requests for statistical information (without personal identification of individuals).

3. The American Red Cross insofar as the records or information pertain to the blood donor program.

4. The U.S. Department of Health and Human Services in the administration of public health service programs.

5. A congressional office in response to an inquiry from the congressional office made at the request of the subject individual.

6. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

7. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on logs, forms, and other papers.

Retrievability:

By program name and within each program alphabetically by name.

Safeguards:

Maintained in file safe within the office of the Personnel Branch. File safe remains locked except during access to records. During duty hours, file safe is under the surveillance of personnel charged with the custody of the records, and after duty hours is behind locked doors. Combination is known only to designated members of the Personnel Branch. Access is limited to personnel who have a need for access to perform their official functions.

Retention and disposal:

Retained for 6 years after last entry.

System manager(s) and address:

Chief, Special Programs and Services Unit, Personnel Branch, Room 533, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.177(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the System Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

Information submitted by individual; officials of the servicing health units; and American Red Cross.

NLRB–9

System name:

Occupational Injury and Illness Records.

Security classification:

None.

System location:

Personnel Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570. Each Washington and Field Office is authorized to maintain copies of records in this system. See the attached appendix for addresses of the Washington and Field Offices.

Categories of individuals covered by the system:

Current and former NLRB employees who have reported a work-related injury or illness.

Categories of records in the system:

Records may include information pertaining to the complete history of the employee's occupational injury or illness, including any doctors' or investigative reports submitted, and the disposition of claims for compensation filed under the Federal Employees Compensation Act and information relative thereto.

Authority for maintenance of the system:

5 U.S.C. 7901; 5 U.S.C. 8101 et seq.; 29 U.S.C. 153(a) and (d).154.

Purpose(s):

These records document the processing of claims filed by NLRB employees for compensation based on an occupational injury or illness.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records, or information therefrom, are disclosed to:

1. Agency officials and employees who have a need for the records or information:

a. In processing reports of occupational injury or illness and claims for compensation under the Federal Employees Compensation Act.

b. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies.

2. Individuals making general requests for statistical information (without personal identification of individuals).

3. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

4. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

5. The U.S. Department of Health and Human Services in the administration of public health service programs.

6. Investigator utilized by the Agency to obtain information relevant to a claim arising under the Federal Employees Compensation Act.

7. The appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

8. A congressional office in response to an inquiry from the congressional office made at the request of the subject individual.

9. Officials of labor organizations recognized under Pub. L. 95-454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

10. Individuals who need the information in connection with the processing of an appeal, grievance or complaint. Whenever feasible such information shall be furnished in depersonalized form, i.e., without personal identifiers.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on forms and related correspondence.

Retrievability:

Alphabetically by name.

Safeguards:

Maintained in locked filing cabinet within the Personnel Branch. Filing cabinet remains locked except during access. During duty hours filing cabinet is under surveillance of personnel charged with the custody of the records, and after duty hours is behind locked doors. Access is limited to personnel who have a need for access to perform their official functions.

Retention and disposal:

Retain and dispose of in accordance with the General Records Schedules issued by the National Archives and Records Administration.

System manager(s) and address:

Chief, Special Programs and Services Unit, Personnel Branch, Room 533, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the System Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

Forms completed by the employee; witnesses; investigators; employee's supervisor; claims examiners of the U.S. Department of Labor; and doctors' statements, if any.

NLRB-10

System name:

Pay Records—Retirement.

Security classification:

None.

System location:

Financial Management Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, DC 20570.

Categories of individuals covered by the system:

Current NLRB employees under the Civil Service Retirement System.

Categories of records in the system:

Records may include name, previous name if any; social security number; sex; birth date; entrance-on-duty date; employment history, including prolonged leave without pay; and monetary contributions to retirement fund made during employment, and information relevant thereto.

Authority for maintenance of the system:

5 U.S.C. 8301 et set.; 29 U.S.C. 153(a) and (d), 154.

Purpose(s):

These records document NLRB employee participation in the Civil Service Retirement System.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records, or information therefrom, are disclosed to:

1. Agency officials and employees who have a need for the records or information:

a. To administer the Civil Service Retirement System within the Agency.

b. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies.

2. Individuals making general requests for statistical information (without personal identification of individuals).

3. The Office of Personnel Management for administering the Civil Service Retirement System.

4. The U.S. General Accounting Office for audit purposes.

5. The appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

6. A congressional office in response to an inquiry from the congressional office made at the request of the subject individual.

7. Officials of labor organizations recognized under Pub. L. 95-454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Whenever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

8. Individuals who need the information in connection with the processing of an appeal, grievance, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

9. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

10. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on employment history cards and source documents.

Retrievability:

By organizational unit and within each unit by employee name or social security number.

Safeguards:

Maintained in file cabinets within the Payroll Unit. During duty hours file cabinets are under surveillance of personnel charged with custody of the records, and after duty hours are behind locked doors. Access is limited to personnel who have a need for access to perform their official functions.

Retention and disposal:

Maintained only on current employees. Transferred to the Office of Personnel Management upon termination of service with the Agency.

System manager(s) and address:

Finance Officer, NLRB, 1717 Pennsylvania Avenue, NW., Washington, DC 20570.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the System Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

Personnel Branch, timekeepers, and supervisors.

NLRB-11

System name:

Payroll—Finance Records.

System location:

Current records are maintained in the Financial Management Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, DC 20570.

Inactive records are stored at the appropriate Federal records center in accordance with applicable provisions of the General Records Schedules issued by the National Archives and Records Administration.

Categories of individuals covered by the system:

Current and former employees of the Agency.

Categories of records in the system:

Records may include each employee's name, date of birth, home address, payroll identification number, organizational unit number, block number pay plan, grade and step, social security number, state identification code and name, leave earned and used, composite designator code and account number, and for the current pay period quarterly and year-to-date hours worked, base pay, overtime pay, premium pay, miscellaneous pay, gross earnings, net earnings, and all withholdings from pay including retirement, taxes (Federal, State, and local) FICA, exemptions (Federal, State, and local), life, group, and optional, insurance, bonds (authorization number and date of issuance), and miscellaneous allotments and deductions. Employment history is also maintained for retirement purposes.

Authority for maintenance of the system:

5 U.S.C. 5501 et seq.; 31 U.S.C. 3501 et seq.; 29 U.S.C. 153(a) and (d), 154.

Purpose(s):

These records document the payroll process as it relates to NLRB employees and are used to support various fiscal and personnel functions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records, or information therefrom, are disclosed to:

1. Agency officials and employees who have a need for the records or information:

a. To compile payroll records.

b. To maintain Agency salary and expense accounts.

c. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies.

d. To transfer information from the records to the individual to whom the record permits.

e. To determine life insurance eligibility, costs, and types of coverage employees shall receive.

2. Individuals making general requests for statistical information (without personal identification of individuals).

3. Individuals who need the information in connection with the processing of an appeal, grievance, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

4. The U.S. Department of the Treasury for payroll purposes.

5. The Office of Personnel Management concerning pay, benefits, retirement deductions and other information necessary for the Office to carry out its Government-wide personnel management functions.

6. State and local authorities for the purpose of verifying tax collections, unemployment compensation claims, and administering public assistance programs.

7. The U.S. Department of Health and Human Services for the administration of the social security program.

8. The U.S. General Accounting Office for audit purposes.

9. The appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

10. A congressional office in response to an inquiry from the congressional office made at the request of the subject individual.

11. Officials of labor organizations recognized under Pub. L. 95–454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

12. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

13. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on original source documents, computer printouts, and on a computer disk file with two magnetic tape backups and microfiche.

Retrievability:

Employee payroll file maintained chronologically by year, and within each year by organizational unit, and within each unit by social security number or by employee name.

Safeguards:

Use of the computer file for information printouts is restricted to designated personnel and access is password protected. Original source documents and microfiche are maintained in file cabinets. During duty hours cabinets are under surveillance of personnel charged with custody of the records, and after duty hours are behind locked doors. Access is limited to personnel having a need for access to perform their official functions.

Retention and disposal:

Payroll records are retained and disposed of in accordance with the applicable General Records Schedules issued by the National Archives and Records Administration and with General Accounting Office approval. Microfilm, magnetic strip ledgers, and microfiche are maintained for 56 years after the date of last entry.

System manager(s) and address:

Finance Officer, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570, and Chief, Management and Information Systems Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

The individual, the Personnel Branch, timekeepers, and supervisors; Office of Personnel Management bulletins; taxing authority notices; and withholding authorizations.

NLRB-12

System name:

Prefiling Communications.

Security classification:

None.

System location:

Records are authorized to be maintained in all Field Offices of the Agency, at the address listed in the attached appendix, and Office of the General Counsel, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

Categories of individuals covered by the system:

Persons who have sought assistance regarding possible institution of an unfair labor practice, representation, or other civil action or proceeding before the National Labor Relations Board.

Categories of records in the system:

Records may include file memoranda detailing the substance of oral communications; letters of inquiry and responses thereto; information relating to an individual's employment history, job performance, earnings, home address, telephone number, union activity; or other information relevant to a potential action or proceeding before the National Labor Relations Board.

Authority for maintenance of the system:

29 U.S.C. 158–169.

Purpose(s):

These records document the processing of preliminary inquiries regarding potential unfair labor practices, representation, or other civil action or proceeding before the NLRB, or representation case issues.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records, or information therefrom, are disclosed to:

1. Agency officials and employees who have a need for the records or information in the processing of cases before the Agency.

2. The appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating or prosecuting a violation or charged with enforcing or implementing a statute, rule, regulation, or order issued pursuant thereto, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature.

3. A congressional office in response to an inquiry from the congressional office made a request of the subject individual.

4. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, (b) any employee or Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

5. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on paper in file folders.

Retrievability:

Alphabetically by name.

Safeguards:

Maintained in file cabinets in the nonpublic area of the office under the immediate control of the System Manager. During duty hours cabinets are under surveillance of personnel charged with custody of the records and after duty hours are behind locked doors.

Retention and disposal:

In the event a civil action or proceeding is instituted prior to the record being destroyed, the record is placed in the case file which is not indexed by the name of the individual. In the event no action or proceeding is instituted, the records are destroyed when 1 year old.

System manager(s) and address:

General Counsel, NLRB, 1717 Pennsylvania Avenue NW., Washington, DC 20570. See the attached appendix for titles and addresses of officials responsible for this system at their locations.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

Individual who seeks assistance.

NLRB-13

System name:

Time and Attendance Records. NLRB.

Security classification:

None.

System location:

Current records are maintained in:

Financial Management Branch, NLRB, 1717 Pennsylvania Avenue NW., Washington, DC 20570. Each Washington and Field Office maintains a copy of time and attendance records for current employees in that office, and is authorized to retain such records on former employees of that office. See the attached appendix for addresses of these offices.

Inactive records are stored at the appropriate Federal records center in accordance with provisions of applicable General Records Schedules issued by the General Service Administration.

Categories of individuals covered by the system:

Current and former employees of the Agency.

Categories of records in the system:

Records may include name; home address; organizational unit number, payroll identification number; entrance-on-duty date; time worked, including regular hours, overtime, compensatory time, and premium pay status; leave earned and used; absences without leave; and doctors' certificates, when required.

Authority for maintenance of the system:

5 U.S.C. 6101 et seq.; 5 U.S.C. 6301 et seq.; 29 U.S.C. 153 (a) and (d), 154.

Purpose(s):

These records document various pay and pesonnel functions, including the hours of work performed by employees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records, or information therefrom, are disclosed to:

1. Agency officials and employees who have a need for the records or information:

a. In the compilation of biweekly payrolls.

b. To maintain leave accounts.

c. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies.

2. Individuals making general requests for statistical information (without personal identification of individuals).

3. Another Federal Government agency in connection with the transfer of an NLRB employee to that agency.

4. The Office of Personnel Management for administering the Civil Service Retirement System.

5. The U.S. General Accounting Office for audit purposes.

6. Another Government agency or private organization in connection with an agreement under the Intergovernmental Personnel Act.

7. The U.S. Treasury Department for payroll purposes.

8. The appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulations, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

9. A congressional office in response to an inquiry from the congressional office made at the request of the subject individual.

10. Individuals who have a need for the information in connection with the processing of an appeal, grievance, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

11. Officials of labor organizations recognized under Public Law 95-454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

12. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

13. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on Form TDF 10-11.H-1, H-2, and H-3 and related forms and papers, and on microfilm/microfiche.

Retrievability:

Chronologically by year, and within each year by organizational unit, and within each unit by social security number or by employee name.

Safeguards:

Original source documents or copies thereof are maintained in file cabinets. Microfilm/microfiche is maintained in locked fireproof metal cabinets. During duty hours, cabinets are under surveillance of personnel charged with custody of the records, and after duty hours are behind locked doors. Access is limited to personnel having a need for access to perform their official functions.

Retention and disposal:

Destroyed after GAO audit or when 3 years old, whichever is sooner.

System manager(s) and address:

Finance Officer, NLRB, 1717 Pennsylvania Avenue NW., Washington, DC 20570. See the attached appendix for the titles and addresses of officials at other locations responsible for this system at their locations.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the appropriate Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the appropriate System Manager in accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

Individual to whom the record pertains, timekeeper or supervisor, doctors' statements.

NLRB-14

System name:

Equal Employment Opportunity Program Management System.

Security classification:

None.

System location:

Management and Information Systems Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570. Office of Equal Employment Opportunity, NLRB, 1717 Pennsylvania, Avenue, NW., Washington, D.C. 20570.

Categories of individuals covered by the system:

Current and former NLRB employees.

Categories of records in the system:

Records may include information such as employee name, social security number, Minority Group Designator (MGD) Code, employment status, sex, date of birth, payroll block and unit number, pay plan, grade and step, entrance-on-duty date, and date of last promotion, date of last quality step increase, organizational unit, employment class, and date of separation.

Authority for maintenance of the system:

29 CFR 1613; 29 U.S.C. 153(a) and (d), 154.

Purpose(s):

These records document the implementation of the NLRB Equal Employment Opportunity Program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records, or information therefrom are disclosed to:

1. Agency officials and employees who have a need for the record or information:

a. In monitoring and evaluating the status and progress of minority/female employment.

b. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the Agency's EEO Program (without personal identification of individuals).

c. In connection with the investigation, processing, adjudication and/or settlement of an EEO complaint or civil action.

2. Individuals making general requests for statistical information (without personal identification of individuals).

3. A congressional office in response to an inquiry from the congressional office made at the request of the subject individual.

4. The appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

5. Officials of labor organizations recognized under Public Law 95-454, when relevant and necessary to their duties of exclusive representation of NLRB employees under the Act. Wherever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

6. Individuals who have a need for the information in connection with the processing of an appeal, grievance, or complaint. Wherever feasible, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

7. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the

Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

8. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on computer disk file and magnetic tape backup.

Retrievability:

By social security account number, alphabetically by name, or by employee's organizational unit or post of duty.

Safeguards:

All doors to the computer room have combination locks and during duty hours the computer and magnetic tape backup are under surveillance of Agency personnel charged with custody of the records. After duty hours the computer disk file and magnetic tape backup are stored in a fireproof safe behind locked doors. Access is limited to authorized personnel only. All format programs are password protected and use of the machines for information printouts is restricted to designated personnel.

Information printouts are maintained in file cabinets. During duty hours cabinets are under surveillance of office personnel charged with custody of the printouts and after duty hours are behind locked doors. Access to cabinets is limited to personnel having a need for access to perform their official functions.

Retention and disposal:

The information in these records is updated as changes in the data elements occur. The files and information printouts are disposed of according to applicable provisions of the General Records Schedules issued by the National Archives and Records Administration.

System manager(s) and address:

Director, Equal Employment Opportunity, NLRB, 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the System Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Contesting record procedures:

Any individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

Information in this system is obtained from the individual to whom the record pertains, Agency officials, and from personnel records

NLRB-15

System name:

Employee Counseling Services Program Records.

Security classification:

None.

System location:

Personnel Branch, NLRB, 1717 Pennsylvania Avenue, NW., Washington, DC 20570.

Categories of individuals covered by the system:

Current and former NLRB employees who have been counseled or otherwise treated for alcohol or drug abuse or for personal or emotional health problems.

Categories of records in the system:

Records in this system include documentation of visits to employee counselors, psychologists, and physicians (Federal, State, local government, or private) and the assessment, diagnosis, recommended treatment, results of treatment, and other notes or records of discussions held with the employee, as well as family members of the employee, which may be made by the counselor. Additionally, records in this system may include documentation of treatment by a private therapist or a therapist at a Federal, State, local government, or private institution.

Authority for maintenance of the system:

5 U.S.C. 7901; 21 U.S.C. 1101 et seq.; 29 U.S.C. 153 (a) and (d), 154.

Purpose(s):

These records are used to document the nature of the individual's problem and progress and to record an individual's participation in and the results of community or private sector treatment or rehabilitation programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be disclosed to:

1. The Department of Justice for use in litigation when either (a) the Agency or any component thereof, or (b) any employee of the Agency in his or her official capacity, or (c) any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

2. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency or any component thereof, (b) any employee of the Agency in his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

3. Qualified personnel for the purpose of conducting scientific research, management audits, financial audits, or program evaluation, but such personnel may not identify, directly or indirectly, any individual patient identities in any manner (when such records are provided to qualified researchers employed or contracted by the Agency, all patient identifying information shall be removed).

Note: Disclosure of these records beyond officials of the Agency having a bona fide need for them or to the person to whom they pertain, is rarely made as disclosures of information pertaining to an individual with a history of alcohol or drug abuse must be limited in compliance with the restriction of the Confidentiality of Alcohol and Drug Abuse Patient Records regulations, 42 CFR Part 2. Records pertaining to the physical and mental fitness of employees are, as a matter of Agency policy, afforded the same degree of confidentiality and are generally not disclosed.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders.

Retrievability:

These records are retrieved by the name of the individual on whom they are maintained.

Safeguards:

These records are maintained in locked file cabinets labeled confidential with access strictly limited to employees directly involved in the Agency's Employee Assistance Program.

Retention and disposal:

Files are destroyed 3 years after termination of counseling. The records are destroyed by shredding.

System manager(s) and address:

Chief, Special Programs and Services Unit, Personnel Branch, Room 533, NLRB, 1717 Pennsylvania Avenue, NW., Washington, DC 20570.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the System Manager in accordance with the procedures set forth in 29 CFR 102.117(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

Information in this system of records comes from the individual to whom it applies, the supervisor of the individual if the individual was referred by the supervisor, the Employee Assistance Program Coordinator, or staff member whom records the counseling session, and therapists or institutions providing treatment.

NLRB–16

System name:

Investigative Services Case Files.

Security classification:

None.

System location:

Office of contractors of the Agency.

Categories of individuals covered by the system:

Individuals sought by the Agency for purpose of effecting compliance with the National Labor Relations Act and Board Orders and court decrees issued thereunder.

Categories of records in the system:

Records consist of investigative reports on efforts to trace individuals, entities, and assets, and include copies of interview reports, public documents, and certain confidential data gathered.

Authority for maintenance of the system:

5 U.S.C. 552a(m)(1) and 29 U.S.C. 153(d) and 160.

Purpose(s):

These records are used to effect compliance with the National Labor Relations Act and Board Orders and court decrees issued thereunder.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used in disclosing information to:

1. A congressional office in response to an inquiry from congressional office made at the request of the subject individual.

2. A court or other adjudicative body before which the Agency is authorized to appear, when either (a) the Agency, or any component thereof, (b) any employee of the Agency his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Agency has agreed to represent the employee, or (d) the United States, where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has interest in such litigation, and the Agency determines that disclosure of the records to a court or other adjudicative body is compatible with the purpose for which the records were collected.

3. The Department of Justice for use in litigation when either (a) the Agency, or any component thereof, (b) any employee of the Agency is his or her official capacity, (c) any employee of the Agency in his or her individual capacity, where the Department of Justice has agreed to represent the employee, or (d) the United States, where the Agency determines that litigation is likely to affect the Agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Agency to be relevant and necessary to the litigation, provided that in each case the Agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

4. The appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto or to any agency in connection with its oversight review responsibility.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records are kept in file holders in locked filing cabinets in offices of contractors of the Agency. Automated information storage and retrieval systems may also be used by individual contractors.

Retrievability:

Records are maintained alphabetically by name, or may be retrieved by other personal identifier.

Safeguards:

Access to and use of the records is limited to authorized persons on a need-to-know basis.

Retention and disposal:

The records are retained by the contractor for no more than 3 years after the case is closed, and are destroyed upon notification from the Agency.

System manager(s) and address:

Assistant General Counsel, Contempt Litigation Branch, Division of Enforcement Litigation, National Labor Relations Board, Room 923, 1717 Pennsylvania Avenue, NW., Washington, DC 20570.

Notification procedure:

An individual may inquire as to whether this system contains a record pertaining to him or her by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(e).

Record access procedures:

An individual seeking to gain access to records in this system pertaining to him or her should contact the System Manager in accordance with the procedures set forth in 29 CFR 102.11(f).

Contesting record procedures:

An individual may request amendment of a record pertaining to such individual maintained in this system by directing a request to the System Manager in accordance with the procedures set forth in 29 CFR 102.117(h).

Record source categories:

Public records, state, and local law enforcement authorities, third party informants, and Agency personnel.

Appendix– Names and Addresses of NLRB Offices referenced in Notice of Record Systems shown above.

NLRB Headquarters Offices

OFFICES OF THE BOARD

Member of the Board

Executive Secretary, Office of the Executive Secretary

Director, Office of Representation Appeals

Director, Division of Information

Solicitor

OFFICES OF THE GENERAL COUNSEL

General Counsel

Associate General Counsel, Division of Operations Management

Associate General Counsel, Division of Advice

Associate General Counsel, Division of Enforcement Litigation

Director, Division of Administration

Director, Equal Employment Opportunity

Address: 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570

Chief Administrative Law Judge, Division of Administrative Law Judges

Address: Room 1121, Hamilton Building, 1375 K Street, NW., Washington, D.C. 20005

San Francisco Office, Division of Administrative Law Judges

Address: Suite 300, 901 Market Street, Federal Building, San Francisco, California 94102

New York Office, Division of Administrative Law Judges

Address: Paramount Building, 4th Floor, 1501, Broadway Street, New York, New York 10036

Atlanta Office, Division of Administrative Law Judges

Address: 44 Broad Street NW., Ninth Floor, Atlanta, Georgia 30303

NLRB Field Offices

Regional Director, National Labor Relations Board, Region 1, Boston Federal Office Building, 10 Causeway Street, Boston, Massachusetts 02222-1072.

Regional Director, National Labor Relations Board, Region, 2, Jacob K. Javits Federal Building, Room 3614, 26 Federal Plaza, New York, New York 10278.

Regional Director, National Labor Relations Board, Region 3, Federal Building, Room 901, 111 West Huron Street, Buffalo, New York 14202.

Regional Director, National Labor Relations Board, Region 4, 1 Independence Mall, Seventh Floor, 615 Chestnut Street, Philadelphia, Pennsylvania 19106.

Regional Director, National Labor Relations Board, Region 5, Candler Building, Fourth Floor, 109 Market Place, Baltimore, Maryland 21202.

Regional Director, National Labor Relations Board, Region 6, 1501 William S. Moorhead Federal Building, 1000 Liberty Avenue, Pittsburgh, Pennsylvania 15222.

Regional Director, National Relations Board, Region 8, Anthony J. Celebrezze Federal Building, 1240 E. Ninth Street, Room 1695, Cleveland, Ohio 44199.

Regional Director, National Relations Board, Region 9, John Weld Peck Federal Office Building, Room 3003, 550 Main Street, Cincinnati, Ohio 45202.

Regional Director, National Relations Board, Region 10, Marietta Tower, Suite 2400, 101 Marietta Street NW., Atlanta, Georgia 30323.

Regional Director, National Relations Board, Region 11, U.S. Courthouse, Federal Building, 251 North Main Street, Room 447, Winston-Salem, North Carolina 27101.

Regional Director, National Relations Board, Region 12, 700 Twigg Street, Suite 511, P.O. Box 172068, Tampa, Florida 33672-0068.

Regional Director, National Relations Board, Region 13, Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, Illinois 60604.

Regional Director, National Relations Board, Region 14, 210 Tucker Boulevard North, Room 448, St. Louis, Missouri 63101.

Regional Director, National Relations Board, Region 15, 1515 Poydras Street, Suite 610, New Orleans, Louisiana 70112.

Regional Director, National Relations Board, Region 16, Federal Office Building, Room 8A24, 819 Taylor Street, Forth Worth, Texas 76102.

Regional Director, National Labor Relations Board, Region 17, Two Gateway Centre, Room 616, Fourth at State, Kansas City, Kansas 66101.

Regional Director, National Labor Relations Board, Region 18, Federal Building, Room 316, 110 South Fourth Street, Minneapolis, Minnesota 55401.

Regional Director, National Labor Relations Board, Region 19, Henry M. Jackson Federal Building, Room 2948, 915 Second Avenue, Seattle, Washington, 98174.

Regional Director, National Labor Relations Board, Region 20, Suite 400, 901 Market Street, San Francisco, California 94103.

Regional Director, National Labor Relations Board, Region 21, 615 South Flower Street, 11th Floor, Los Angeles, California 90017-2803.

Regional Director, National Labor Relations Board, Region 22, Peter D. Rodino, Jr. Federal Building, Room 1600, 970 Broad Street, Newark, New Jersey 07102.

Regional Director, National Labor Relations Board, Region 23, Bob Casey Federal Building/Courthouse, 515 Rusk Street, Room 4014, Houston, Texas 77002.

Regional Director, National Labor Relations Board, Region 24, Federico Degatau Federal Building, U.S. Courthouse, Room 591, Carlos E. Chardon Avenue, Hato Rey, Puerto Rico 00918.

Regional Director, National Labor Relations Board, Region 25, Minton-Capehart Federal Building, Room 238, 575 North Pennsylvania Street, Indianapolis, Indiana 46204.

Regional Director, National Labor Relations Board, Region 26, Mid-Memphis Tower Building, Suite 800, 1407, Union Avenue, P.O. Box 41559, Memphis, Tennessee 38174.

Regional Director, National Labor Relations Board, Region 27, South Towers, 3d Floor, 600 17th Street, Denver, Colorado 80202-5433.

Regional Director, National Labor Relations Board, Region 28, Security Building, 234 North Central Avenue, Suite 440, Phoenix, Arizona 85004.

Regional Director, National Labor Relations Board, Region 29, 16 Court Street, Fourth Floor, Brooklyn, New York 11241.

Regional Director, National Labor Relations Board, Region 30, Henry S. Reuss Federal Plaza, 310 W. Wisconsin Avenue, Suite 700, Milwaukee, Wisconsin 53203.

Regional Director, National Labor Relations Board, Region 31, Federal Building, Room 12100, 11000 Wilshire Boulevard, Los Angeles, California 90024.

Regional Director, National Labor Relations Board, Region 32, Breuner Building, Second Floor, 2201 Broadway, Post Office Box 12983, Oakland, California 94604.

Regional Director, National Labor Relations Board, Region 33, Savings Center Tower, Sixteenth Floor, 411 Hamilton Boulevard, Peoria, Illinois 61602.

Officer-in-Charge, National Labor Relations Board, Subregion 36, Portland Building, Room 1360, 1120 Southwest Fifth Avenue, Portland, Oregon 97204.

Officer-in-Charge, National Labor Relations Board, Subregion 37, 300 Ala Moana Boulevard, Room 7318, P.O. Box 50208, Honolulu, Hawaii 96850.

Officer-in-Charge, National Labor Relations Board, Subregion 39, One Commercial Plaza, 21st Floor, Hartford, Connecticut 06103.

Resident Officer, National Labor Relations Board, Resident Office-Region 3, Leo W. O'Brien Federal Building, Room 342, Clinton Avenue at North Pearl Street, Albany, New York 12207.

Resident Officer, National Labor Relations Board, Resident Office-Region 5, Gelman Building, Suite 100, 2120 L Street NW., Washington, D.C. 20037.

Resident Officer, National Labor Relations Board, Resident Office-Region 7, Third Floor, The Furniture Co., 82 Ionia, NW., Grand Rapids, Michigan 49503.

Resident Officer, National Labor Relations Board, Resident Office-Region 10, Bank of Savings Building, Suite 305, 1919 Morris Avenue, Birmingham, Alabama 35203.

Resident Officer, National Labor Relations Board, Resident Office-Region 12, Federal Building, Room 278, 400 West Bay Street, Jacksonville, Florida 32202.

Resident Officer, National Labor Relations Board, Resident Office-Region 12, Federal Building, Room 916, 51 Southwest Avenue, Miami, Florida 33130.

Resident Officer, National Labor Relations Board, Resident Office-Region 16, Robert S. Kerr Building, 440 South Houston Avenue, Room 210, Tulsa, Oklahoma 74127.

Resident Officer, National Labor Relations Board, Resident Office-Region 18, Federal Building, 210 Walnut Street, Room 909, Des Moines, Iowa 50309.

Resident Officer, National Labor Relations Board, Resident Office-Region 19, Anchorage Federal Office Building, 701 C Street, Room 510, Box 21, Anchorage, Alaska 99513.

Resident Officer, National Labor Relations Board, Resident Office-Region 21, 555 West Beech Street, Suite 302, San Diego, California 92101.

Resident Officer, National Labor Relations Board, Resident Office-Region 23, Federal Building, Room A-509, 727 East Durango Boulevard, San Antonio, Texas 78206.

Resident Officer, National Labor Relations Board, Resident Office-Region 26, Capitol Centre Building, 303 West Capitol Street, Suite 350, Little Rock, Arkansas 72201.

Resident Officer, National Labor Relations Board, Resident Office-Region 26, Estes Kefauver Federal Building, U.S. Courthouse, Room A-702, 801 Broadway, Nashville, Tennessee 37203.

Resident Officer, National Labor Relations Board, Resident Office-Region 28, Patio Plaza Building, Upper Level, 5000 Marble Avenue, NE., Albuquerque, New Mexico 87110.

Resident Officer, National Labor Relations Board, Resident Office-Region 28, Federal Building, Suite C403, 700 East San Antonio Avenue, El Paso, Texas 79901.

Resident Officer, National Labor Relations Board, Resident Office-Region 31, 600 Las Vegas Boulevard, South Suite 400, Las Vegas, Nevada 89101.

Title 29-Labor

Chapterl-National Labor Relations Board

PART 102-RULES AND REGULATIONS, SERIES 8

Sec

Subpart K-Records and Information

102.117 Board materials and formal documents available for public inspection and copying; requests for described records; time limit for response; appeal from denial of request; fees for document search and duplication; files and records not subject to inspection.

§ 102.117 **Board materials and formal documents available for public inspection and copying; requests for described records; time limit for response; appeal from denial of request; fees for document search and duplication; files and records not subject to inspection.**

(a)(1) The following materials are available to the public for inspection and copying during normal business hours: (i) All final opinions and orders made in the adjudication of cases; (ii) administrative staff manuals and instructions that affect any member of the public (excepting those establishing internal operating rules, guidelines, and procedures for the investigation, trial, and settlement of cases); (iii) a record of the final votes of each member of the Board in every agency proceeding; and (iv) a current index of final opinions and orders made in the adjudication of cases. Paragraphs (a)(1) (i) through (iv) of this section are available for inspection and copying during normal business hours at the Board's offices in Washington, D.C. Paragraphs (a)(1) (ii) and (iv) of this section are also available for inspection and copying during normal business hours at each regional, subregional, and resident office of the Board. Final opinions and orders made by regional directors in the adjudication of representation cases pursuant to the delegation of authority from the Board under section 3(b) of the act are available to the public for inspection and copying in the original office where issued.

(2) Copies of forms prescribed by the Board for the filing of charges under section 10 or petitions under section 9 may be obtained without charge from any regional, subregional, or resident office of the Board.

(b)(1) The formal documents constituting the record in a case or proceeding are matters of official record and, until destroyed pursuant to applicable statutory authority, are available to the public for inspection and copying during normal business hours, at the appropriate regional office of the Board or at the Board's office in Washington, D.C., as the case may be.

(2) The executive secretary shall certify copies of the formal documents upon request made a reasonable time in advance of need and payment of lawfully prescribed costs.

(c)(1) Requests for the inspection and copying of records other than those specified in paragraphs (a) and (b) of this section must be in writing and must reasonably describe the record in a manner to permit its identification and location. The envelope and the letter should be clearly marked to indicate that it contains a request for records under the Freedom of Information Act (FOIA). The request must contain a specific statement assuming financial liability in accordance with paragraph (c)(2)(iv) of this section, for the direct costs of the search for the requested records and their duplication. If the request is for records in a regional or subregional office of the agency, it should be made to that regional or subregional office; if for records in the office of the general counsel and located in Washington, D.C., it should be made to the Freedom of Information officer, office of the general counsel, Washington, D.C.; and if for records in the offices of the Board in Washington, D.C., to the executive secretary of the Board, Washington, D.C. Requests made to other than the appropriate office will be forwarded to that office by the receiving office, but in that event the applicable time limit for response set forth in paragraph (c)(2) of this section shall be calculated from the date of receipt by the appropriate office.

(2)(i) Within 10 working days after receipt of a request by the appropriate office of the agency a determination shall be made whether to comply with such request, and the person making the request shall be notified in writing of that determination. If the determination is to comply with the request, the records shall be made promptly available to the person making the request, upon payment of any charges due in accordance with the provisions of paragraph (c)(2)(iv) of this section. If the determination is to deny the request, the notification shall set forth the reasons therefor and the name and title or position of each person responsible for the denial, and shall notify the person making the request of the right to appeal the adverse determination under the provisions of paragraph (c)(2)(ii) of this section.

(ii) An appeal from an adverse determination made pursuant to paragraph (c)(2)(i) of this section must be filed within 20 working days of the receipt by the person of the notification of the adverse determination where the request is denied in its entirety; or, in the case of a partial denial, within 20 working days of the receipt of any records being made available pursuant to the request. If the adverse determination was made in a regional office, a subregional office, or by the Freedom of Information officer, office of the general counsel, the appeal shall be filed with the general counsel in Washington, D.C. If the adverse determination was made by the executive secretary of the Board, the appeal shall be filed with the chairman of the Board in Washington, D.C. Within 20 working days after the receipt of an appeal the chairman of the Board or the general counsel, as the case may be, shall make a determination with respect to such appeal and shall notify the person in writing. If the determination is to comply with the request, the records shall be made promptly available to the person making the request, upon receipt of payment of any charges due in accordance with the provisions of paragraph (c)(2)(iv) of this section. If on appeal the denial of the request for records is upheld in whole or in part, the person making the request shall be notified of the reasons for the determination, the name and title or position of each person responsible for the denial, and the provisions for judicial review of that determination under the provisions of 5 U.S.C. section 552(4)(B). Even though no appeal is filed from a denial in whole or in part of a request for records by the person making the request, the chairman of the Board or the general counsel may, without regard to the time limit for filing of an appeal, sua sponte initiate consideration of an adverse determination under this appeal procedure by written notification to the person making the request. In such event the time limit for making the determination shall commence with the issuance of such notification.

(iii) In unusual circumstances as specified in this subparagraph, the time limits prescribed in either paragraph (c)(2) (i) or (ii) of this section may be extended by written notice to the person requesting the record setting forth the reasons for such extension and the date on which a determination is expected to be dispatched. No such notice or notices shall specify a date or dates that would result in an extension or extensions totaling more than 10 working days with respect to a particular request. As used in this subparagraph, "unusual circumstances" means, but only to the extent reasonably necessary to the proper processing of the particular request:

(*a*) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request;

(*b*) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request;

(*c*) The need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the agency having substantial subject-matter interest therein.

(iv) Persons requesting records from this agency shall be subject to a charge of fees for the direct cost of document search and duplication in accordance with the following schedules, procedures, and conditions:

(*a*) Schedule of charges:

(*1*) For each one-quarter hour or portion thereof of clerical time $2.50

1.10

(*2*) For each one-quarter hour or portion thereof of professional time$6.60

(*3*) For each sheet of duplication (not to exceed 8½ × 14 inches) of requested records$0.10

(*4*) All other direct costs of search or duplication shall be charged to the requester in the same amount as incurred by the agency.

(*b*) Each request for records shall contain a specific statement assuming financial liability, in full or to a specified maximum amount, for charges, in accordance with paragraph (c)(2)(iv)(*a*) of this section which may be incurred by the agency in responding to the request. If the anticipated charges exceed the maximum limit stated by the person making the request or if the request contains no assumption of financial liability for charges, the person shall be notified and afforded an opportunity to assume financial liability. The request for records shall not be deemed received for purposes of the applicable time limit for response until a written assumption of financial liability is received. When the anticipated charges exceed $50.00, the person making the request, upon notification, shall deposit 50 percent of the anticipated charges with the agency. The request shall not be deemed received for purposes of the applicable time limit for response until such deposit has been made.

(*c*) Charges may be imposed even though the search discloses no records responsive to the request, or none not exempt from disclosure. The imposition of charges may be waived for the convenience of the agency, and will be reduced or waived where the agency determines that furnishing the information can be considered as primarily benefiting the general public. The agency may, by agreement with the person making the request, make arrangements with commercial firms for required services to be charged directly to the requester.

(v) "Working days," as used in this subsection, means calendar days excepting Saturdays, Sundays, and legal holidays.

(d) Subject to the provisions of §§ 102.31(c) and 102.66(c), all files, documents, reports, memoranda, and records of the agency, falling within the exemptions specified in 5 U.S.C. section 552(b), shall not be made available for inspection or copying, unless specifically permitted by the Board, its chairman, or its general counsel.

(e) An individual will be informed whether a system of records maintained by this agency contains a record pertaining to such individual. An inquiry should be made in writing or in person during normal business hours to the official of this agency designated for that purpose and at the address set forth in a notice of a system of records published by this agency, in a Notice of Systems of Government-wide Personnel Records published by the Civil Service Commission, or in a Notice of Government-wide System of Records published by the Department of Labor. Copies of such notices, and assistance in preparing an inquiry, may be obtained from any regional office of the Board or at the Board offices at 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570. The inquiry should contain sufficient information, as defined in the notice, to identify the record. Reasonable verification of identity of the inquirer, as described in paragraph (i) of this section, will be required to assure that information is disclosed to the proper person. The agency shall acknowledge the inquiry in writing within 10 days (excluding Saturdays, Sundays, and legal public holidays) and, wherever practicable, the acknowledgment shall supply the information requested. If, for good cause shown, the agency cannot supply the information within 10 days, the inquirer shall within that time period be notified in writing of the reasons therefor and when it is anticipated the information will be supplied. An acknowledgment will not be provided where the information is supplied within the 10-day period. If the agency refuses to inform an individual whether a system of records contains a record pertaining to an individual, the inquirer shall be notified in writing of that determination and the reasons therefor, and of the right to obtain review of that determination under the provisions of paragraph (j) of this section.

(f) An individual will be permitted access to records pertaining to such individual contained in any system of records described in the notices of systems of records published by this agency, or access to the accounting of disclosures from such records. The request for access must be made in writing or in person during normal business hours, to the person designated for that purpose and at the address set forth in the published notice of systems of records. Copies of such notices, and assistance in preparing a request for access, may be obtained from any regional office of the Board or at the Board offices at 1717 Pennsylvania Avenue NW., Washington, D.C. 20570. Reasonable verification of the identity of the requester, as described in paragraph (i) of this section, shall be required to assure that records are disclosed to the proper person. A request for access to records or the accounting of disclosures from such records shall be acknowledged in writing by the agency within 10 days of receipt (excluding Saturdays, Sundays, and legal public holidays) and, wherever practicable, the acknowledgement shall inform the requester whether or not access will be granted and, if so, the time and location at which the records or accounting will be made available. If access to the record or accounting is to be granted, the record or accounting will normally be provided within 30 days (excluding Saturdays, Sundays, and legal public holidays) of the request, unless for good cause shown the agency is unable to do so, in which case the individual will be informed in writing within that 30-day period of the reasons therefor and when it is anticipated that access will be granted. An acknowledgement of a request will not be provided if the record is made available within the 10-day period. If an individual's request for access to a record or an accounting of disclosures from such a record under the provisions of this subsection is denied, the notice informing the individual of the denial shall set forth the reasons therefor and advise the individual of the right to obtain a review of that determination under the provisions of paragraph (j) of this section.

(g) An individual granted access to records pertaining to such individual contained in a system of records may review all such records. For that purpose the individual may be accompanied by a person of the individual's choosing, or the record may be released to the individual's representative who has the written consent of the individual, as described in paragraph (i) of this section. A first copy of any such record or information will ordinarily be provided without charge to the individual or representative in a form comprehensible to the individual. Fees for any other copies of requested records shall be assessed at the rate of 0.10 cents for each sheet of duplication.

(h) An individual may request amendment of a record pertaining to such individual in a system of records maintained by this agency. A request for amendment of a record must be in writing and submitted during normal business hours to the person designated for that purpose and at the address set forth in the published notice for the system of records containing the record of which amendment is sought. Copies of such notices, and assistance in preparing a request for amendment, may be obtained from any regional office of the Board or at the Board offices at 1717 Pennsylvania Avenue, NW., Washington, D.C. 20570. The requester must provide verification of identity as described in paragraph (i) of this section, and the request should set forth the specific amendment requested and the reason for the requested amendment. The agency shall acknowledge in writing receipt of the request within 10 days of its receipt (excluding Saturdays, Sundays, and legal public holidays) and, wherever practicable, the acknowledgment shall advise the individual of the determination of the request. If the review of the request for amendment cannot be completed and a determination made within 10 days, the review shall be completed as soon as possible, normally within 30 days (Saturdays, Sundays, and legal public holidays excluded) of receipt of the request unless unusual circumstances preclude completing the review within that time, in which event the requester will be notified in writing within that 30-day period of the reasons for the delay and when the determination of the request may be expected. If the determination is to amend the record, the requester shall be so notified in writing and the record shall be amended in accordance with that determination. If any disclosures accountable under the provisions of 5 U.S.C. 552a(c) have been made, all previous recipients of the record which was amended shall be advised of the amendment and its substance. If it is determined that the request should not be granted, the requester shall be notified in writing of that determination and of the reasons therefor, and advised of the right to obtain review of the adverse determination under the provisions of paragraph (j) of this section.

(i) Verification of the identification of individuals required under paragraphs (e), (f), (g), and (h) of this section to assure that records are disclosed to the proper persons shall be required by the agency to an extent consistent with the nature, location, and sensitivity of the records being disclosed. Disclosure of a record to an individual in person will normally be made upon the presentation of acceptable identification. Disclosure of records by mail may be made upon the basis of the identifying information set forth in the request. Depending upon the nature, location, and sensitivity of the requested record, a signed notarized statement verifying identity may be required by the agency. Proof of authorization as representative to have access to a record of an individual shall be in writing, and a signed notarized statement of such authorization may be required by the agency if the record requested is of a sensitive nature.

(j)(1) Review may be obtained with respect to (i) a refusal, under paragraph (e) or (k) of this section, to inform an individual if a system of records contains a record concerning that individual, (ii) a refusal, under paragraph (f) or (k) of this section, to grant access to a record or an accounting of disclosures from such a record, or (iii) a refusal, under paragraph (h) of this section, to amend a record. The request for review should be made to the chairman of the Board if the system of records is maintained in the offices of a member of the Board, the office of the executive secretary, the office of the solicitor, the division of information, or the division of administrative law judges. Consonant with the provisions of section 3(d) of the National Labor Relations Act, as amended, and the delegation of authority from the Board to the general counsel, the request should be made to the general counsel if the system of records is maintained by any office of the agency other than those enumerated above. Either the chairman of the Board or the general counsel may designate in writing another officer of the agency to review the refusal of the request. Such review shall be completed within 30 days (excluding Saturdays, Sundays, and legal public holidays) from the receipt of the request for review unless the chairman of the Board or the general counsel, as the case may be, for good cause shown, shall extend such 30-day period.

(2) If, upon review of a refusal under paragraph (e) or (k) of this section, the reviewing officer determines that the individual should be informed of whether a system of records contains a record pertaining to that individual; such information shall be promptly provided. If the reviewing officer determines that the information was properly denied, the individual shall be so informed in writing with a brief statement of the reasons therefor.

(3) If, upon review of a refusal under paragraph (f) or (k) of this section, the reviewing officer determines that access to a record or to an accounting of disclosures should be granted, the requester shall be so notified and the record or accounting shall be promptly made available to the requester. If the reviewing officer determines that the request for access was properly denied, the individual shall be so informed in writing with a brief statement of the reasons therefor, and of the right to judicial review of that determination under the provisions of 5 U.S.C. section 552a(g)(1)(B).

(4) If, upon review of a refusal under subsection (h), the reviewing official grants a request to amend, the requester shall be so notified, the record shall be amended in accordance with the determination, and, if any disclosures accountable under the provisions of 5 U.S.C. 552a(c) have been made, all previous recipients of the record which was amended shall be advised of the amendment and its substance. If the reviewing officer determines that the denial of a request for amendment should be sustained, the agency shall advise the requester of the determination and the reasons therefor, and that the individual may file with the agency a concise statement of the reasons for disagreeing with the determination, and may seek judicial review of the agency's denial of the request to amend the record. In the event a statement of disagreement is filed, that statement (i) will be made available to anyone to whom the record is subsequently disclosed together with, at the discretion of the agency, a brief statement summarizing the agency's reasons for declining to amend the record, and (ii) will be supplied, together with any agency statements, to any prior recipients of the disputed record to the extent that an accounting of disclosures was made.

(k) To the extent that portions of systems of records described in notices of governmentwide systems of records published by the Civil Service Commission are identified by those notices as being subject to the management of an officer of this agency, or an officer of this agency is designated as the official to contact for information, access or contest of those records, individual requests for access to those records, requests for their amendment, and review of denials of requests for amendment shall be in accordance with the provisions of 5 CFR Part 297, Subpart A, § 297.101, *et seq.*, as promulgated by the Civil Service Commission. To the extent that portions of systems of records described in notices of governmentwide systems of records published by the Department of Labor are identified by those notices as being subject to the management of an officer of this agency, or an officer of this agency is designated as the official to contact for information, access or contest of those records, individual requests for access to those records, requests for their amendment, and review of denials of requests for amendment shall be in accordance with the provisions of 29 CFR Part 70a as promulgated by the Department of Labor. Review of a refusal to inform an individual whether such a system of records contains a record pertaining to that individual, and review of a refusal to grant an individual's request for access to a record in such a system may be obtained in accordance with the provisions of paragraph (j) of this section.

[40 FR 7290, Feb. 19, 1975, as amended at 40 FR 48330, Oct. 14, 1975; 41 FR 1478, Jan. 8, 1976; 51 FR 3598, Jan. 29, 1986]

NATIONAL SCIENCE FOUNDATION

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NSF—1

System name: Employment Inquiries and Background Information.

System location: Decentralized—There are numerous separate files maintained by individual NSF Offices. National Science Foundation, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: Individuals inquiring about opportunities for employment at the Foundation who supply resumes, standard form 171's or other background information either on their own or at the request of Foundation personnel. This system covers only information submitted as general background for use in the event vacancies should occur as opposed to formal applications (e.g. SF 171's) with respect to positions for which the Foundation is actively recruiting. In the latter case, applications are filed with the announcement folders and are not a part of this system of records, but the applications may become part of NSF System No. 25 if the applicant does obtain employment with the Foundation.

Categories of records in the system: Records contain letters, resumes, and information contained on SF 171.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records may be kept as received originally or in some cases index cards with names of persons applying are kept (as at NSF Personnel Office) and the application or letters are returned or destroyed.

Retrievability: Filed alphabetically by last name of individual.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty.

Retention and disposal: Varies with offices. In some cases the records are destroyed or returned to individual. In others they are retained for a period of time for future references as vacancies occur.

System manager(s) and address: Head of particular offices maintaining file.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613. The NSF Office of Program of interest must be specified in any request.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information is received from individual applicants.

NSF—2

System name: Applicants to Committee on the Challenges of Modern Society Fellowship Programme (NATO).

System location: National Science Foundation, Division of Science Manpower Improvement, Fellowships and Traineeship—W 478, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: Applicants for above described program.

Categories of records in the system: Application/proposal of applicant.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Sent through State Department to NATO. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed alphabetically by last name of applicant.

Safeguards: Building and room in which records are kept is locked during non-business hours.

Retention and disposal: Records are transferred to NATO. NSF maintains for a limited time, those files on applicants not recommended for award.

System manager(s) and address: Division Director, Science Manpower Improvement.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information is received from applicants and references.

Systems exempted from certain provisions of the act: NSF at 45 CFR 613.6 has claimed an exemption as to the disclosure of the identity of references in accordance with 5 USC 552a (k)(5).

NSF—3

System name: Application and Account for Advance of Funds. (SF 1038).

System location: National Science Foundation, Division of Financial and Administrative Management, Voucher Unit, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: NSF employees (including Consultants)

Categories of records in the system: Record includes individual's name and address, amount requested, and voucher number.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Voucher and Schedule of Payments (SF 1166) to the Department of Treasury.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in 5 x 8 files.

Retrievability: Filed alphabetically by last name of employee.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: Destroyed four years after settlement of advance

System manager(s) and address: Director, Division of Financial and Administrative Management

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 63.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information is received from individual and his office.

NSF—4

System name: Confidential Statement of Employment and Financial Interests.

System location: National Science Foundation, Director, Division of Personnel and Management, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: NSF Employees (including Consultants).

Categories of records in the system: Records contain the following information: Name, title, employment and financial interest, creditors, interests in real property.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None, although information is submitted to CSC in the form of statistical reports.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed alphabetically by name of employee.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours. Records are stored in key locked file cabinet.

Retention and disposal: Records are maintained until the separation of the employee and then destroyed.

System manager(s) and address: Director, Division of Personnel and Management

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information is received from individual employees.

NSF—5

System name: Congressional Contact Files.

System location: National Science Foundation, Congressional Liaison Branch, Office of Government and Public Programs, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: Members of Congress and Congressional Staff.

Categories of records in the system: Files contain records of phone calls, meetings, letters, and other information related to individual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed alphabetically by last name of individuals.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room is which records are kept is locked during non-business hours.

Retention and disposal: Indefinite

System manager(s) and address: NSF Congressional Liaison Officer

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: In addition to actual correspondence and communications at meetings, information is obtained from newspapers, magazines and other such public sources.

NSF—6

System name: Doctorate Records File.

Security classification: None.

System location: National Academy of Sciences, 2101 Constitution Avenue, NW, Washington, D. C. 20418; National Science Foundation, 1800 G Street, NW, Washington, D.C. 20550; Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202; National Endowment for the Humanities, 1100 Pennsylvania Avenue, NW, Washington, D. C. 20506; and National Institutes of Health, Buildings 1 and 12, 9000 Rockville Pike, Bethesda, Md., 20892.

Categories of individuals covered by the system: The system includes individuals who have received earned doctorates from U. S. institutions since 1920. Limited information (name, field of degree and institution) on persons receiving doctorates between 1920 and 1958 was compiled from public records. Information for persons receiving degrees after 1958 has been supplied voluntarily by the person receiving the degree. Some institution supply name and field of degree for persons not providing any information.

Categories of records in the system: Name, Social Security number, birth date, sex, citizenship, race, education history, sources of financial support during graduate study, postgraduation plans.

Authority for maintenance of the system: Section I (3)(a)(6), (4)(j)(1), (42 U.S.C. 1862); Section II (37) (42 U.S.C. 1865d); National Science Foundation Act of 1950 as amended.

Purposes:

This system is used:

1. To provide a source of information on demographic and educational characteristics and employment plans of recipients of doctorate from American universities, in compliance with Foundation responsibilities to monitor scientific and technical resources.

2. To provide indicators of the state of science and engineering in the United States, as required by congressional mandate.

3. To report biennially on the participation of men and women by race and by ethnic group and by discipline, in scientific and technical fields, as required by congressional mandate.

4. To provide the sampling frame for the survey of doctorate in the Scientific and Technical Personal Data System for the Foundation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Information is given to the institution awarding degree, but only for its own doctorates.

2. Disclosures may be made to the federal sponsors listed under "System location" above, their contractors and collaborating researchers and their staff for the purpose of analyzing data and preparing scientific reports and articles in order to accomplish the research purpose for which the records are collected. All users of the system are required to comply with the requirements of the Privacy Act with respect to such records.

3. Records are disclosed to the National Institutes of Health for review and evaluation of its programs.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer tapes and questionnaires are kept by the National Academy of Sciences. Computer tapes are kepy by the National Science Foundation, Department of Education, National Endowment for the Humanities and the National Institutes of Health.

Retrievability: Alphabetically by last name of individual.

Safeguards: Data are kept in secured areas with access limited to authorized personnel. Questionnaires, in paper copy or in microfiche, are kept in locked cabinets. Published findings are in formats which preclude individual identification.

Retention and disposal: Computer tapes are kept indefinitely by the National Academy of Sciences for use by the project in fulfilling its responsibilities described above under "Purposes".

System manager(s) and address: Division Director, Science Resources Studies, National Science Foundation, 1800 G St. NW, Washington, DC 20550.

Notification procedure:

To determine if a record exists, write to the system manager and provide the following information:

1. System Name: Doctorate Records File.
2. Complete name at time degree was awarded.
3. Complete birth date and institution awarding degree (to distinguish among duplicate names, if necessary).

Record access procedures: See "Notification procedure" above.

Contesting record procedures: See "Notification procedure" above.

Record source categories: Information obtained voluntarily from individual.

Systems exempted from certain provisions of the act: None.

NSF—7

System name: Earnings and Tax Statement (W-2).

System location: National Science Foundation, Director, Division of Financial and Administrative Management, Payroll Section, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: NSF Employee (including consultants)

Categories of records in the system: Gross Earnings, Federal Tax Withheld, State Tax Withheld, FICA Wager and FICA Tax Withheld, marital status, name, address, and Social Security Number.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Magnetic tape is sent to IRS. A copy is sent to State of Residence and/or other taxing authority.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper record maintained in card file.

Retrievability: Filed alphabetically by last name of employee.

Safeguards: Building employs security guards. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: Destroyed three years after year of issuance.

System manager(s) and address: Director, Division of Financial and Administrative Management

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information obtained through computer payroll system.

NSF—8

System name: Employee Grievance and Appeals File.

System location: National Science Foundation, Director, Division of Personnel and Management, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: NSF employees.

Categories of records in the system: These files contain all records pertaining to grievances filed by NSF employees. A few files on appeals initiated prior to September 9, 1974, are also included in this system, although all appeals are now handled directly by the Civil Service Commission. (As to those latter appeals see CSC notice entitled "CSC-Appeals, Grievances and Complaints Records.)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1. Civil Service Commission has access during routine examinations and audits conducted by it. 2. Information or records may be disclosed to state or Federal Courts in connection with litigation. 3. Information from these files may be used to respond to a request from a member of Congress regarding the status of an appeal, complaint, or grievance if the Congressman is acting on the basis of a request from the individual involved.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed alphabetically by the last name of employee.

Safeguards: Building employs security guards. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: The records are maintained up to two years after the completion of the action and then transferred to the National Personnel Records Center, St. Louis, Missouri. They are destroyed by the Federal Records Center when they are seven years old.

System manager(s) and address: Director, Division of Personnel and Management

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information from the employee, supervisors, hearing examiner, witnesses, and others providing input to the particular case.

NSF—9

System name: Employees Locator Record Card.

System location: Records are maintained in two locations: Director, Division of Personnel and Management, and the individual offices to which the employee is assigned. National Science Foundation, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: NSF Employees—present and past.

Categories of records in the system: Records contain name, address, telephone and next of kin of employees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information used for locating employee for outside callers and for updating NSF and GSA Center telephone directories.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in 5x8 card files.

Retrievability: Filed alphabetically by last name of employee.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: Destroyed two years after separation of employee.

System manager(s) and address: Director, Division of Personnel and Management.

Notification procedure: The NSF Privacy Act officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information received from individual employees.

NSF—10

System name: Employee's Payroll Jacket.

System location: National Science Foundation, Director, Division of Financial and Administrative Management, Payroll Section, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: NSF employees (including Consultants).

Categories of records in the system: Personnel actions, Federal and State Withholding Certificates, Bond Authorizations, Health Benefits Forms, Life Insurance Forms, Allotment Forms, and other similar items related to an employee's pay and deductions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Copies of Health Benefits Forms sent to Carrier.
2. Charity Allotment Forms are sent to other agencies upon transfer of employee.
3. Data from some records is used as input data for NSF Payroll System which is described in another notice and the routine uses listed there are also applicable to this record system.
4. To the extent any of these records are duplicative of those described in the notice of official Personnel Folders the routine uses described therein are also applicable.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folder.

Retrievability: Filed alphabetically by last name of employee.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: Destroyed five years after termination of employment.

System manager(s) and address: Director, Division of Financial and Administrative Management.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: NSF Personnel Office and individual employees or consultants.

NSF—11

System name: Equal Employment Opportunity Case File.

System location: National Science Foundation, Office of Equal Employment Opportunity, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: NSF employees and applicants for employment with the Foundation.

Categories of records in the system: Records contain the complaint of the individuals, deposition taken and statement from individuals and all records pertaining to complaint. 1. When case is closed a duplicate file goes to the Civil Service Commission. 2. Civil Service Commission has access during routine examinations and audits conducted by it. 3. Information or records may be disclosed to State or Federal courts in connection with litigation. 4. Information from these files may be used to respond to a request from a member of Congress regarding the status of an appeal, complaint, or grievance if the Congressman is acting on the basis of a request from the individual involved.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper record maintained in file folders.

Retrievability: Filed alphabetically by last name of individual.

Safeguards: Building employs security guards. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours. Records are maintained in locked, supreme cabinets.

Retention and disposal: Records are maintained up to two years and then transferred to the National Personnel Records Center, St. Louis, Missouri. They are destroyed by the Federal Records Center when the records are seven years old.

System manager(s) and address: NSF Equal Employment Director.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information is obtained from the individual complainant, supervisors, Hearing Examiners, witnesses and others providing input to the particular case.

NSF—12

System name: Fellowship and Traineeship Filing System.

System location: Records that make up this system are kept in three places, (1) Fellowships and Traineeships Section, Division of Science Manpower Improvement, NSF 5225 Wisconsin Ave., NW, Washington, D.C. (2) National Academy of Sciences, Joseph Henry Building, 2100 Pennsylvania Avenue, NW, Washington, D.C., and (3) National Academy of Sciences, 2101 Constitution Avenue, NW, Washington, D.C.

Categories of individuals covered by the system: Persons applying for and/or receiving fellowships of various types awarded by NSF, and persons receiving traineeships under NSF traineeship grant programs. Note applicants for fellowships from the NATO Committee on the Challenges of Modern Society are covered under a separate system of records described in another system notice, but NATO Senior and Postdoctoral Fellows are included in this system.

Categories of records in the system: Information varies depending on type of fellowship or traineeship. Normally the information includes personal information supplied with the application; reference reports; transcripts and Graduate Record Examination scores to the extent required during the application process; selection process results and administrative data and correspondence accumulating during fellows tenure. There is a cumulative index of all persons applying or receiving NSF and NATO fellowships and NSF Traineeships.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) A list of applicants for certain fellowships is sent to the Educational Testing Service, Princeton, N.J., for annotation of GRE scores and returned to NAS for use in application processing. (2) Information from the system is used and may be merged with other computer files in order to carry out statistical studies for NSF or other Government agencies. The results of such studies are statistical in nature and do not identify individuals. (3) In the case of Faculty Fellowships in Science records go to the American Council for Education for purposes of evaluating applicants. ACE returns the applications to NSF and such records that it does maintain are not kept by the name of the applicant. (4) Copies of the records of persons receiving traineeships will be sent to the institution awarding the traineeship in the event such institution should request a copy (as where it has lost its own copy). (5) Certain information is given to the institution the fellow is attending or planning to attend for purposes of administrative of fellowships, including, its many cases, for payment of stipends. (6) In the case of Fellows receiving stipends directly from the Government, information is transmitted to the Department of Treasury for preparation of check. (7) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records kept by the NAS are on computer tapes. All original application materials are kept at NSF. However, microfilms of application materials received prior to 1963 are kept at NAS.

Retrievability: Filed alphabetically by applicant's name.

Safeguards: Building is locked during non-business hours. Records at NSF are kept in rooms that are locked during non-business hours. Records kept at NAS are kept in similar rooms and some records are locked in cabinets.

Retention and disposal: NAS tapes are kept indefinitely. Records at NSF are transferred to the Federal Records Center and destroyed 10 years after completion of Fellowship.

System manager(s) and address: Division Director, Division of Science Manpower Improvement.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613. It would expedite your request if the fellowship or traineeship program about which you are interested was identified in your request. For example, indicate you applied for or received a "Graduate Fellowship" or a "Faculty Fellowship in Science" as opposed to merely saying you want a copy of your fellowship.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information supplied by individuals applying or receiving fellowships or traineeships, references, the Education Testing Service, educational institutions supplying transcripts, and administrative data developed during selection process and award tenure.

Systems exempted from certain provisions of the act: NSF at 45 CFR 613.6 has claimed an exemption as to the disclosure of the identity of references in accordance with 5 USC 552a(k)(5).

NSF—13

System name: Fellowship Payroll.

System location: National Science Foundation, Division of Financial and Administrative Management, Payroll Section, 1800 G Street, NW, Washington, D.C. 20550

Categories of individuals covered by the system: Fellows under certain NSF Fellowship Programs being paid directly by the Government.

Categories of records in the system: Copies of fellowship award letter, acceptance form, starting certificates, and records of payments of stipends.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Transfer of information to Department of Treasury for preparation of checks.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed alphabetically by last name of Fellow.

Safeguards: Building employs security guards. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: Destroyed four years after cut-off.

System manager(s) and address: Director, Division of Financial and Administrative Management.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information obtained from Fellow through Education Directorate.

NSF—14

System name: Grants to Individuals.

System location: This is a decentralized system. With respect to all successful applicants for support, records are kept at the National Science Foundation, Division of Grants and Contracts, 1800 G Street, NW, Washington, D.C. 20550. Separate records are also kept at the various program offices of the Foundation which manage the particular programs involved. These records may cover both successful and unsuccessful applicants.

Categories of individuals covered by the system: Individuals applying for and/or receiving support from the National Science Foundation.

Categories of records in the system: Application for support and NSF grant documents.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Some information is released to Congress in the form of a daily listing of grants.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed alphabetically by last name of awardee.

Safeguards: Building employs guards. Building is locked during non-business hours when guard is not on duty. Rooms in which records are kept are locked during non-business hours. The Division of Grants and Contracts records are kept in locked power files.

Retention and disposal: Records are transferred to the Federal Records Center two years after close of case; destroyed eleven years after close of case.

System manager(s) and address: Director, Division of Grants and Contracts as to Grant and contract files and head of the particular program involved as to the remainder.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613. In addition, your request should state (1) the type of grant and program involved and (2) whether you were a recipient of an award or an unsuccessful applicant.

Contesting record procedures: See "Notification" above.

Record source categories: Information obtained from individuals and from various NSF offices and programs.

NSF—15

System name: Health Service Medical Records.

System location: National Science Foundation, Health Service, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: Employees of NSF, Secret Service, Office of Telecommunication Policy, ERDA, and Office of Special Representatives for Trade Negotiations.

Categories of records in the system: Medical information from physical examinations or other visits to Health Service.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None, although records are sometimes given to personal physicians and insurance companies with written approval of employee.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed alphabetically by last name of employee.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: To employee upon separation or with employee's instructions, to Health Service of new place of employment to employee's private physical or retained six years after separation, then transferred to the Federal Records Center.

System manager(s) and address: Director, NSF Health Service.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information received from examining physician, individual, and from other physicians with permission of individual.

NSF—16

System name: Individual Retirement Record (SF2806).

System location: National Science Foundation, Division of Financial and Administrative Management, Payroll Section, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: NSF employees (including some consultants).

Categories of records in the system: Salary, grade, status changes, yearly and year to date retirement deductions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1. Transferred to CSC when employee separates. 2. Copies transferred to CSC once a year after close-out for payroll year.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed by employee's payroll number.

Safeguards: Building employee security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours. Records are in combination lock, fire-proof cabinet.

Retention and disposal: Retained until employee is separated then transferred to CSC.

System manager(s) and address: Director, Division of Financial and Administrative Management.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information obtained from the Personnel Office on Payroll Summaries prepared each two weeks showing year-to-date amounts.

NSF—17

System name: Intergovernmental Personnel Act Assignment Agreements.

System location: National Science Foundation, Division of Grants and Contracts, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: Employees on temporary assignment under the Intergovernmental Personnel Act.

Categories of records in the system: The information in these records is that normally found on the SF 171 and a Personnel Qualification Assignment Agreement.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information necessary for coordination with the institution which the employee is affiliated may be disclosed to such institution.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed alphabetically by last name of employee.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: Transferred to the Federal Records Center and destroyed ten years after separation of employee.

System manager(s) and address: Director, Division of Grants and Contracts

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information is received from the individual and the individual's home institution.

NSF—18

System name: Manpower Management Subsystem.

System location: National Science Foundation, Division of Personnel and Management, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: NSF employees (including consultants).

Categories of records in the system: Individuals personal particular including such items as education, appointment and position information, training and development data, organization and job identification information, committee assignment and salary data, pay change data, carpool information, leave data, deductions from pay.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Records or information may be disclosed to the Civil Service Commission (a) as required by law or civil service rules and regulations, (b) in connection with adjudicatory type activities of the CSC, (c) as part of CSC audits and reviews of NSF personnel procedures and practices, (d) to provide data for the Central Personnel Data File and to provide data to update Federal automated Career Systems (FACS), Executive Inventory File, and security investigations index on new hires, adverse actions, and terminations.

2. Records of information may be disclosed to a Federal Agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

3. Records or information may be referred, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

4. Records or information may be disclosed to the CSC or other Federal agencies for the purpose of conducting security clearances.

5. Certain information may be transferred to organizations (including Federal agencies) conducting training programs attended by NSF employees as necessary for the administration or conduct of the training.

6. Upon employee's transfer to another Federal agency, records are transferred to the Civil Service Commission or the new agency.

7. Certain records or information may be disclosed or transferred to the Office of Workers' Compensation Programs, Veterans Administration Pension Benefits Program, Social Security Old Age, Survivor and Disability Insurance and Medicare Programs, military retired pay programs, and Federal civilian employee retirement systems other than the Civil Service Retirement System, when requested by that program or system or by the individual covered by this system of records, for use in determining an individual's claim for benefits under such system.

8. Earnings information may be transferred under the Civil Service Retirement System to the Internal Revenue Service as required by the Internal Revenue Code of 1954, as amended.

9. Information necessary to support a claim for life insurance benefits under the Federal Employees' Group Life Insurance Program may be transferred to the Office of Federal Employees' Group Life Insurance, 4 East 24th Street, New York, NY 10010.

10. Information necessary to support a claim of health insurance benefits under the Federal Employees Health Benefits Program may be transferred to a health insurance carrier or plan participating in the program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on disc with tape.

Retrievability: Records are retrieved by Social Security Number or Employee Number.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours. A password is necessary to access the computer.

Retention and disposal: Records are maintained until the separation of employee.

System manager(s) and address: Director, Division of Personnel and Management.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information for this system of records is received from the NSF Personnel Office.

NSF—19

System name: Medical Examination Records for Service in Antarctica.

System location: Holmes and Narver, Inc., 400 E. Orangethorpe, Anaheim, California 92810

Categories of individuals covered by the system: All civilians entering Antarctica through United States auspices.

Categories of records in the system: Results of medical examination to determine fitness for entering Antarctica.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Copy of record is given to the Force Medical Officer, U.S. Navy Support Force, Antarctica.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed alphabetically by last name of individual.

Safeguards: Kept in locked file.

Retention and disposal: After one year those records of Holmes and Narver employees are transferred to H&N personnel files. System is only two years old and length of retention for records of others has not been determined.

System manager(s) and address: Administrative Manager, Antarctic Field Services, Holmes and Narver, Inc., 400 E. Orangethorpe, Anaheim, California 92801.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information obtained from examining physician and individual.

NSF—20

System name: Minority Applicants for Employment.

System location: National Science Foundation, Office of Equal Employment Opportunity, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: Minority applicants seeking employment with the Foundation.

Categories of records in the system: Records contain resume' and information contained on SF 171.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is sometimes disclosed to other Federal agencies requesting minority recruitment assistance in scientific areas.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed alphabetically by last name and discipline.

Safeguards: Building employs security guards. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: Maintained indefinitely.

System manager(s) and address: NSF Equal Employment Director.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information is received from individual submitting application and information received by the Personnel Office from previous employer of applicant if applicant is considered for employment.

NSF—21

System name: Nominees for and Recipients of the National Medal of Science.

System location: National Science Foundation, Office of the Director, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: Persons who have been nominated for or received National Medal of Science.

Categories of records in the system: Biographical information concerning past employment, education, achievements, and other similar personal data.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None, although biographical information on recipients is released to the White House for presentation of awards. Name and affiliation is released to the press. No information is released on other nominees.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Paper records maintained in file folders.

Retrievability: The folders for nominees are filed alphabetical within four broad categories of science—Biological, Engineering, Physical, and Mathematics. Recipients are arranged alphabetically by year of award.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: After five years, records are transferred to the Federal Records Center.

System manager(s) and address: Director, National Science Foundation.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures at 45 CFR Part 613. Your request must specify whether you are interested in nominee or recipient records. If you are interested in records concerning recipients the year you received the Medal should be specified. If you are interested in nominee records, you should note that only persons nominated within the last five years are considered for any given years award. Therefore, unless your request otherwise specifies, it will be assumed to cover only records for the last five years preceding the request. If you are interested in earlier years, your request should also specify your scientific field or fields of activity.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Nominees, Universities, Societies, National Academy of Science and National Academy of Engineering.

NSF—22

System name: NSF Payroll System.

System location: National Science Foundation, Division of Financial and Administrative Management, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: NSF employees (including consultants).

Categories of records in the system: Computer System consisting of data base with all information necessary to prepare NSF payroll, purchase of savings bonds, compute leave balances, prepare W-2s, and other similar uses. Also various programs to provide outputs including information to the Department of Treasury for preparation of payroll and various reports and other forms.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1. Prepare W-2 forms for transmittal to IRS and State and local Governments. 2. Prepare various listings, tapes- and schedules for transfer to the Department of Treasury for issuance of salary payments. 3. Listing of monies sent to Financial Organizations (Banks and savings institutions) bi weekly. 4. Quarterly report to IRS. 5. No other routine uses have been identified, however, data is aggregated to prepare various reports to CSC, the Treasury, and other agencies, but such reports do not include informetion by name or other identifying number or characteristics.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer records maintained on cards, tapes and disc.

Retrievability: May be retrieved by employee number, social security number or last name.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours. A password is necessary to access the computer.

Retention and disposal: Varies; Employee information is deleted at the end of the year in which he leaves the Foundation. Information on the master tapes is destroyed after five years.

System manager(s) and address: Director, Division of Financial and Administrative Management.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information is taken from forms prepared by individuals, the Personnel Office and Time and Attendance Reports.

NSF—23

System name: NSF Staff Biography.

System location: National Science Foundation, Office of Government and Public Programs, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: High level NSF staff (Office Heads and above).

Categories of records in the system: Biographical information, Position held, education, memberships, publications, home address.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Distributed upon request to newspapers, magazines, professional journals, and others.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed alphabetically by last name of employee.

Safeguards: Buildings employ security guards. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: Record on individuals destroyed when they leave Foundation except in cases of extremely high level staff.

System manager(s) and address: Director, Office of Government and Public Programs.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Notification procedure: See "Notification" above.

Record source categories: Information is received from individual.

NSF—24

System name: Official Passports.

System location: National Science Foundation, Travel Service Section, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: NSF Employees (some wives) and consultants.

Categories of records in the system: Date of birth, place of birth, nationality, next of kin, height, color of hair and eyes, and picture.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Passport may be sent to Embassy for Visas, Passports are returned to the State Department for cancellation once they have expired, also when employee leaves the Foundation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Filed in passport folders.

Retrievability: Filed alphabetically by last name.

Safeguards: Building employees security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours. Passports are kept in combination lock safe.

Retention and disposal: Passports expire after five years and are then sent to the State Department for Cancellation. Should employee retire or leave the Foundation, passports are returned to the State Department for proper disposition.

System manager(s) and address: Director, Division of Financial and Administrative Management.

Notification procedure: The NSF Privacy Act Officer should be notified in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information is received from individual.

NSF—25

System name: Official Personnel Folders.

Note the Civil Service Commission has issued a notice of a system of records entitled "CSC—General Personnel Records (Official Personnel Folder and records related thereto)." To the extent there are any inconsistencies this notice shall take precedence as to records maintained at NSF.

System location: Division of Personnel and Management, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: NSF employees.

Categories of records in the system: This system consists of a variety of records relating to personnel actions and determinations made about an individual while employed in the Federal service including his application (Form 171) and any references received. These records contain information about an individual relating to birth date; Social Security Number; veteran preference; tenure; handicap; past and present salaries; grades, and position titles; letters of commendation, reprimand; charges, and decision on charges; notice of reduction-in-force; locator files; personnel actions, including but not limited to, appointment, reassignment, demotion, detail, promotion, transfer, and separation; training; minority group designator; records relating to life insurance, health benefits, and designation of beneficiary; training; performance ratings, data documenting the reasons for personnel actions or decisions made about an individual; awards; and other information relating to the status of the individual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Records or information may be disclosed to the Civil Service Commission (a) as required by law or civil service rules and regulations, (b) in connection with adjudicatory type activities of the CSC, (c) as part of CSC audits and reviews of NSF personnel procedures and practices, (d) to provide data for the Central Personnel Data File and to provide data to update Federal Automated Career Systems (FACS), Executive Inventory File, and security investigations index on new hires, adverse actions, and terminations.

2. Records of information may be disclosed to a Federal Agency, in response to its request, in connection with the hiring or retention on an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

3. Records on information may be referred, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

4. Records or information may be disclosed to the CSC or other Federal agencies for the purpose of conducting security clearances.

5. Certain information may be transferred to organizations (including Federal agencies) conducting training programs attended by NSF employees, as necessary for the administration or conduct of the training.

6. Upon employees transfer to another Federal agency, records are transferred to the Civil Service Commission or the new agency.

7. Certain records or information may be disclosed or transferred to the Office of Workers Compensation Programs, Veterans Administration Pension Benefits Program, Social Security Old Age, Survivor and Disability Insurance and Medicare Programs, military retired pay programs, and Federal civilian employee retirement systems other than the Civil Service Retirement System, when requested by that program or system or by the individual covered by this system of records, for use in determining an individual's claim for benefits under such system.

8. Earnings information may be transferred under the Civil Service Retirement System to the Internal Revenue Service as required by the Internal Revenue Code of 1954, as amended.

9. Information necessary to support a claim for life insurance benefits under the Federal Employees' Group Life Insurance Program may be transferred to the Office of Federal Employees' Life Insurance, 4 East 24th Street, New York, NY 10010.

10. Information necessary to support a claim for health insurance benefits under the Federal Employees Health Benefits Program may be transferred to a health insurance carrier or plan participating in the program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records maintained in file folders.

Retrievability: Records are filed alphabetically by last name of employee.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours. Records are located in lockable power files in rooms with access limited to those whose official duties require access.

Retention and disposal: The Official Personnel Folder (OPF) is retained indefinitely. The OPF is sent to the National Personnel Records Center within 30 days of the date of the employee's separation from the Federal service. Some records such as letters of reprimand, indebtedness, and vouchers are maintained for two years or destroyed when an individual resigns, transfers, or is separated from the Federal service. Letters of reference may be destroyed shortly after appointment.

System manager(s) and address: Director, Division of Personnel and Management.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information comes from the individual, investigators (CSC and others), and supervisors or other agency officials.

Systems exempted from certain provisions of the act: NSF at 45 CFR 613.7 has claimed an exemption as to the disclosure of the identity of references in accordance with 5 USC 552a(k)(5).

NSF—26

System name: Personnel Security Control Cards.

System location: National Science Foundation, Division of Personnel and Management, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: NSF employees.

Categories of records in the system: Cards contain listing of employees Clearance level, date, etc.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Clearances granted are disclosed either orally or in writing to Security Officers of other Federal Agencies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in Kardex files.

Retrievability: Filed alphabetically by last name of employee.

Safeguards: Building employs security guards. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: Destroyed after separation of employee.

System manager(s) and address: Personnel Security Officer, NSF, Division of Personnel and Management.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Reflects NSF Clearance Determination from CSC Reports.

NSF—27

System name: Presidential Internships in Science and Engineering.

System location: National Science Foundation, Division of Science Manpower Improvement, Fellowships and Traineeships Section — W 478, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: Persons receiving internships from federally funded R&D laboratories under the Presidential Internships in Science and Engineering Program. (Program is no longer operating.)

Categories of records in the system: Personal information on interns and administrative data received from laboratories making awards.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed alphabetically by last name of individual.

Safeguards: Building and room in which records are kept is locked during non-business hours.

Retention and disposal: Destroyed ten years after termination of Fellowship.

System manager(s) and address: Division Director, Division of Science Manpower Improvement.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: NSF Form 668 completed by intern and NSF Form 667 and 669 completed by coordinating offical of laboratory.

NSF—28

System name: Principal Investigator/Project Director Files.

System location: Decentralized. There are numerous separate files maintained by individual NSF offices and programs. National Science Foundation, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: Principal investigators, project directors and proposed principal investigators and project directors.

Categories of records in the system: Many programs within the Foundation keep cards filed by the name of the principal investigator or proposed principal investigators. Usually only minimal administrative information is included such as proposal and award number of the fact that the proposal was declined and the date of the action.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information on these cards may be disclosed to other Government agencies, which often receive proposals from the same principal investigators in order to coordinate national and international scientific programs.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in card files throughout the Foundation.

Retrievability: Individual files are maintained alphabetically by last name of individual submitting proposal.

Safeguards: Buildings employ security guards. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: File is cumulative and retention periods vary.

System manager(s) and address: Head of particular program or office maintaining records.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613. However, the program or office with which the requester is concerned must be identified.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information is taken from submitted proposals and project folders.

NSF-29

System name:

Principal Investigator/Project Director Subsystem.

System location:

National Science Foundation, Office of Information Systems, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system:

Each individual that requests support from the National Science Foundation, and Principal Investigators or Project Directors from institutions requesting NSF support.

Categories of records in the system:

Personal data as well as data on the disposition of each application of proposal submitted to the National Science Foundation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information, other than personal information of a sensitive nature, may be released to other government agencies, which often receive proposals from the same Principal Investigator/Project Director.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information is stored in an automated data base on disk and magnetic tapes.

Retrievability:

Information can be retrieved by name or Social Security Number of applicant.

Safeguards:

Authorized Users: Employees who maintain records in this system are instructed to grant access to other employees on a need-to-know basis as specifically authorized by the Privacy Act Officer.

Physical Safeguards: Building employs security guards. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Procedural Safeguards: Access to computer files is controlled by the use of passwords. Access to source data files is strictly controlled by program staff.

Retention and disposal:

Computer files are cumulative and maintained indefinitely.

System manager(s) and address:

(Computer files), Chief, Administrative Systems Branch, Office of Information Systems, National Science Foundation, Washington, D.C. 20550.

Notification procedure:

To determine if a record exists write to: NSF Privacy Act Officer, National Science Foundation, Washington, D.C. 20550.

The National Science Foundation reserves the right to require sufficient identification to positively identify the individual making the request. Complete procedures are found at 45 CFR Part 613.

Record access procedures:

See "Notification Procedures" above. Requester should reasonably specify the record contents being sought.

Contesting record procedures:

See "Notification Procedures" above. Requester should reasonably identify the record and specify the information to be contested, and state the corrective action sought and the reasons for the correction, with supporting justification.

Record source categories:

Information is taken from materials submitted by the applicants.

Systems exempted from certain provisions of the act:

None.

NSF—30

System name: Reviewer, Consultant, and Panelist Files.

System location: Decentralized—There are numerous separate files maintained by individual NSF offices and programs. National Science Foundation, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: Members of advisory panels, individual reviewers, consultants, and members of panels reviewing and evaluating proposals for support from NSF.

Categories of records in the system: Information kept varies but normally includes the individuals field of expertise and other biographical information. Some files may include correspondence with individual. In case of paid consultant much of the material may be duplicative of material in the System of Records entitled "Official Personnel Folders" which is described in another notice.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Other Government agencies needing names of potential reviewers or specialists in particular fields may be given information from this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in various forms throughout the Foundation and some computerized (MIO Review/Panelist Information Subsystem).

Retrievability: In some cases by name. Those in the MIO Review/Panelist Information Sybsystem are not retrievable by name or identifying number in all cases. They are retrievable by identifying number only if office involved has retained a list of transaction numbers hen data is entered into the system.

Safeguards: Buildings employ security guards. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours. Password must be used to access computer files.

Retention and disposal: Records are transitory and are purged periodically.

System manager(s) and address: Head of particular office or program maintaining such records.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613. However, the request must specify the NSF Office or Program about which the requester is concerned.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Individual reviewers and panelists, other reviewers, consultants and panelists, project folders, project managers, newspaper clippings, correspondence, Biographical works such as American Men of Science, and other such miscellaneous sources.

NSF—31

System name: Science Education Applicant Information Subsystem.

System location: National Science Foundation, Science Education Directorate, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: Applicants to several NSF sponsored Science-E Science-Education programs.

Categories of records in the system: Personal identification, title, employment/experience data and institution affiliation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: There has been no activity in this system of records for two years. Information has been and may be released to institutions coordinating the Science Programs involved. Information may be released to the Department of Justice in connection with law enforcement activities related to these programs.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer files on tape.

Retrievability: Information in this system may be retrieved both by the Social Security Number and the last name of the applicant.

Safeguards: Building employs security guards. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours. A password is necessary to access the computer.

Retention and disposal: File is cumulative and is maintained indefinitely.

System manager(s) and address: Staff Assistant, Science Education Directorate.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information is obtained from the individual applicant.

NSF—32

System name: Separated Employees Service Record (SF 7).

System location: National Science Foundation, Division of Personnel and Management, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: Former employees (including consultants).

Categories of records in the system: Records contain the dates and types of personnel actions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is sometimes given as verification of former employment to outside inquiries.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in KARDEX File.

Retrievability: Filed alphabetically by last name of employee.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: Destroyed three years after separation of employee.

System manager(s) and address: Director, Division of Personnel and Management.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information transfers from Employee Personnel Folder (201 file).

NSF—33

System name: Student Science Training Program Participant Information.

System location: Information sheets are maintained at: National Science Foundation, Division of Science Manpower Improvement, W 400, 1800 G Street, NW, Washington, D.C. 20550. Computer tapes are maintained at: Exotech Inc., Gaithersburg, Maryland.

Categories of individuals covered by the system: Participants in the Student Science Training Program.

Categories of records in the system: Personal data on information sheet; name, address, date of birth, social security number, etc. and education information.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: May be released to appropriate organizations for statistical or evaluation studies. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records and computer tapes.

Retrievability: Building and room in which records are kept is locked during non-business hours. A password is necessary to access the computer.

Retention and disposal: Not established.

System manager(s) and address: Director, Division of Science Manpower Improvement.

Notification procedure: The NSF Privacy Act Officer should be notified in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Record source categories: Information is received from individual participant.

NSF—34

System name: Time and Attendance Reports.

System location: National Science Foundation, Division of Financial and Administrative Management, Payroll Section, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: NSF Employees (including Consultants).

Categories of records in the system: Cards with attendance, leave, and overtime recorded thereon.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information from this system is incorporated into the "NSF-Payroll System" described in another notice and the routine uses listed in the notice of that system are applicable to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Punch cards filed in computer card files.

Retrievability: Filed by employee number during current pay year, and alphabetically by last name, thereafter.

Safeguards: Building employs security guards. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: Destroyed three years after current year.

System manager(s) and address: Director, Division of Financial and Administrative Management.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information obtained from timekeepers and supervisors in individual offices.

NSF—35

System name: Travelers Vouchers Folders (SF 1012).

System location: National Science Foundation, Director, Division of Financial and Administrative Management, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: NSF employees, consultants, and invitational travel.

Categories of records in the system: Name and address, schedule of expenses and amounts claimed.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be disclosed to State or Federal Courts in connection with litigation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by last name of traveler.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: Retained for four years then destroyed.

System manager(s) and address: NSF Financial Management Officer.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information is received from individual traveler.

NSF—36

System name: U.S. Antarctic Research Program Personal Information.

System location: National Science Foundation, Office of Polar Programs, 1800 G Street, NW, Washington, D.C.; and Holmes and Narver, Inc., 400 E. Orangethorpe, Anaheim, California 92801.

Categories of individuals covered by the system: Civilians entering Antarctica under U.S. auspices.

Categories of records in the system: Name, address, next of kin, dependents, education societies membership, honors received, military experience, special equipment, anticipated departures and returns, persons to notify in event of accident, excess baggage, passport number.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In the event of accidents, information from these records may be used in news releases.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed alphabetically by last name of individual with separate files for each year.

Safeguards: Records at Holmes & Narver are stored in locked files. Records at NSF; Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours.

Retention and disposal: Not determined.

System manager(s) and address: Head, Office of Polar Programs for record at NSF. All others: Administrative Manager, Antarctic Field Service, Holmes and Narver, Inc., 400 E. Orangethorpe, Anaheim, California 92801

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613. Interested individuals should specify the year about which you are interested.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information obtained from individual.

NSF—37

System name: United States Antarctic Research Program Field Participants.

System location: Division of Polar Programs, 1800 G Street, NW, Washington, D.C. 20550, and Holmes and Narver, Inc., 400 E. Orangethorpe, Anaheim, California 92801.

Categories of individuals covered by the system: NSF employees, grantees (U.S. and foreign nationals), grantees' assistants, and contractor employees.

Categories of records in the system: Curriculum vitae, medical information, emergency information (next of kin, etc), correspondence, messages, and memoranda dealing with an individual's deployment to Antarctica or Antarctic Ocean areas under auspices of the United States Antarctic Research Program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For official use during possible litigation resulting from death, injuries, wage disputes, etc., occurring during or resulting from an individual's development to Antarctica.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders in cardboard boxes.

Retrievability: Records are filed alphabetically by last name of individual. Alphabetical files are grouped in periods of one year or longer as determined by time of deployment to Antarctica.

Safeguards: Buildings have security guards during non-business hours. Records are in locked rooms after business hours. Access is limited to persons whose official duties require their use.

Retention and disposal: Records are held at NSF or at Holmes and Narver approximately two years after completion of individual's deployment to Antarctica. Records are deposited with the Federal Records Center generally every two years. Records are destroyed 10 years after individual's last deployment to Antarctica.

System manager(s) and address: Head, Division of Polar Programs, for reorder at NSF. All others: Administrative Manager, Antarctic Field Service, Holmes and Narver, Inc., 400 E. Orangethorpe, Anaheim, California 92801.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613. Supply individual's full name and years of deployment to Antarctica.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: The individual, NSF officials, Holmes and Narver officials, medical doctor, field personnel in United States Antarctic Research Program.

NSF—38

System name: Alien Applications for Consideration of Waiver of Two-Year Foreign Residence Requirements—NSF.

System location: NSF Office of International Programs, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: Aliens subject to conditions of Section 212(e) of the Immigration and Nationality Act, seeking waiver of two-year foreign residence requirements, in order to apply for immigrant or temporary worker status.

Categories of records in the system: Curriculum vitae, next of kin, correspondence and employment data.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records may be made available to Department of State.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Records are filed alphabetically by last name of alien.

Safeguards: Building has security guards during non-business hours. Records are in locked rooms after business hours. Access is limited to persons whose official duties require their use.

Retention and disposal: Records are held at NSF approximately two years after close out of case. Records are destroyed 10 years after close of alien case folder.

System manager(s) and address: Head, Office of International Programs.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: The individual and U.S. host institution (employer).

NSF—39

System name: Reviewer/Panelist Information Subsystem. (Note this system differs from NSF System No. 30 in that the system 39 is used to collect information concerning reviewers used by Foundation officers, whereas No. 30 is used as an aid in the selection of reviewers.)

System location: Division of Information Systems, 1800 G Street, NW, Washington, D.C. 20550.

Categories of individuals covered by the system: Members of advisory panels, individuals, consultants, NSF staff, members of review panels and other individuals from whom reviews or evaluation of proposals for support from NSF are solicited or received.

Categories of records in the system: The individual's field of expertise and address. Also contains information concerning the proposals reviewed and NSF Identification Number.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Other Government agencies needing names of potential reviewers or specialists in particular fields may be given information from this system. List of reviewers used by NSF will be published annually.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer records on disc and tapes.

Retrievability: Records are retrieved alphabetically by last name.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours. A password must be used to access computer files.

Retention and disposal: File is cumulative and is maintained indefinitely.

System manager(s) and address: Director, Division of Information Systems.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with the procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Individual reviewers and panelists, other reviewers, consultants and panelists, project folders, project managers, newspaper clippings, correspondence, biographical works such as American Men of Science, and other such miscellaneous sources.

NSF—40

System name: NSF Innovation Guide Mailing List.

System location: Capital Systems Group, Inc., 6110 Executive Boulevard, Suite 850, Rockville, Maryland 20852 and Word/One Computer Center, Bowne Time Sharing, 345 Hudson Street, New York, New York 10014.

Categories of individuals covered by the system: Recipients of the Innovation Guide and other individuals potentially interested in the Innovation Guide project or in improving communications of scientific and technical information.

Categories of records in the system: Name, address (Institution or place of business), scientific/professional group categorization, and correspondence records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Identification of individuals for personal referrals in response to inquiries from interested readers. Other Government agencies or private organizations may be given information from this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer records on disc pack and/or archive tape file.

Retrievability: Alphabetically by last name.

Safeguards: Cannot be accessed by persons who do not have the computer sign-on passwords and the "get" or access word to the document.

Retention and disposal: Maintained indefinitely.

System manager(s) and address: Head, Office of Science Information Service.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Individual inquiries, response to press releases, referrals from other organizations, and identification through directories.

NSF—41

System name: Dissertation Advisers File.

System location: National Academy of Sciences, 2101 Constitution Avenue, NW, Washington, D.C. 20418.

Categories of individuals covered by the system: Dissertation Advisers of Ph. D.'s from U.S. universities, from 1963 forward. Data are given in the Doctorate Records File, a separate system of records (see NSF—6).

Categories of records in the system: Advisee's serial number, institution, field, year, and month of graduation. Adviser's name and Doctorate Records File ID No., if available.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records may be transferred to other Federal agencies to enable them to conduct statistical studies. No other routine uses have been identified, although data from this system is used in the preparation of statistical studies. For example, information from the file is used along with other records to provide statistical information on career achievements of individuals who may have been supported by Federal Government agencies for part of their training, or for other statistical purposes. The results of these studies do not reveal the identities of individuals.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are kept by the National Academy of Science on computer tapes.

Retrievability: Alphabetically by last name of individual.

Safeguards: Buildings employ security guards. Buildings are locked during non-business hours. Records are kept in locked room during non-business hours.

Retention and disposal: Records are kept indefinitely.

System manager(s) and address: Division Director, Division of Science Resources Studies.

Notification procedure: The NSF Privacy Act Officer should be contracted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Doctorate Records File, NSF System of Records No. 6.

NSF—42

System name: Nominees for and Recipients of the Alan T. Waterman Award Nomination File.

System location: National Science Foundation, Office of Planning and Resources Management, 1800 G Street, NW, Washington, D.C. 20550

Categories of individuals covered by the system: Persons who have been nominated for or who have received the National Science Foundation's Alan T. Waterman Award.

Categories of records in the system: Biographical information concerning past employment, education, achievements, and other similar personal data.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None, although name, affiliation and other pertinent information is released to the press on awardees. No information is released on other nominees.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Folders for nominees are filed alphabetically. Recipients are arranged alphabetically by year of award.

Safeguards: Building employs security guard. Building is locked during non-business hours when guard is not on duty. Room in which records are kept is locked during non-business hours. Folders are maintained in locked file.

Retention and disposal: After five years, records are transferred to the Federal Records Center.

System manager(s) and address: Director, Office of Planning and Resources Management.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613. Your request must specify whether you are interested in nominee or recipient records. If you are interested in records concerning recipients the year you received the award should be specified. If you are interested in nominee records, you should note that only persons nominated within the past last five years are considered for any given year's award. Therefore, unless your request otherwise specifies, it will be assumed to cover only records for the last five years preceding the request. If you are interested in earlier years, your request should also specify your scientific field or fields of activity.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Nominees. Universities, and Societies.

NSF-43

System name:

Doctorate Work History File.

Security classification:

None.

System location:

National Academy of Sciences, 2101 Constitution Avenue, NW, Washington, D.C. 20418; National Institutes of Health, Buildings 1 and 12, 9000 Rockville Pike, Bethesda, MD 20892; and Department of Energy, 1000 Independence Avenue SW., Washington, DC. 20585

Categories of individuals covered by the system:

The system includes individuals holding the Ph. D. and other equivalent earned doctoral degrees and located in the United States. The surveys are directed to samples of this population. Currently, the areas of science, engineering, and the humanities are includes.

Categories of records in the system:

Demographic, educational, and professional characteristics of doctorate holders. Included are such parameters as age, race, geographic location, earned degrees, major subject of degree, employment status, fields of employment, type of employer, primary work activity, and salary.

Authority for maintenance of the system:

Authority for collection of information from scientists and engineers is provided by section 1 (3)(a)(6), (4)(j)(1) (42 U.S.C. 1862); Section 11 (37) (42 U.S.C. 1885d); National Science Foundation Act of 1950, as amended.

Purpose(s):

This system is used:

1. To provide a source of information on demographic, educational, and employment characteristics of doctorate-holders in the United States, in compliance with Foundation responsibilities to monitor scientific and technical resources.
2. To provide indicators of the state of science and engineering in the United States, as required by congressional mandate.
3. To report biennially on the participation and employment of men and women by race and by ethnic group, in scientific and technical fields, as required by congressional mandate.
4. To provide the data base of doctorate-holders in science and engineering for the Scientific and Technical Personnel Data System maintained by the Foundation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosure may be made to the federal sponsors listed under "System location" above, their contractors and collaborating researchers and their staff for the purpose of analyzing data and preparing scientific reports and articles in order to accomplish the research purpose for which the records are collected. All users of the system are required to comply with the requirements of the Privacy Act with respect to such records.
2. Records are disclosed to the National Institutes of Health for review and evaluation of its programs.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer tapes and questionnaires are kept by the National Academy of Sciences. Computer tapes are kept by the National Science Foundation, the National Institutes of Health, and the Department of Energy.

Retrievability:

Alphabetically by last name of individuals.

Safeguards:

Data are kept in secured areas with access limited to authorized personnel. Questionnaires, in paper copy or in microfiche, are kept in locked cabinets. Published findings are in formats which preclude individual identification.

Retention and disposal:

Computer tapes are kept indefinitely by the National Academy of Sciences for use by the project in fulfilling its responsibilities described above under "Purposes".

System manager(s) and address:

Division Directors, Science Resources Studies, National Science Foundation, 1800 G St. NW, Washington, DC 20550.

Notification procedure:

To determine if a record exists, write to the system manager and provide the following information:

1. System Name: Doctorate Work History File
2. Complete name at time degree was awarded
3. Complete birth data and institution awarding degree (to distinguish among duplicate names, if necessary).

Record access procedures:

See "Notification Procedure" above.

Contesting record procedures:

See "Notification procedure" above.

Record source categories:

Information obtained voluntarily from individual.

Systems exempted from certain provisions of the act:

None.

NSF—44

System name: Visiting Women Scientists Roster.

System location: Research Triangle Institute, P.O. Box 12194, Research Triangle Park, NC 27709.

Categories of individuals covered by the system: Women scientists who have asked to be included in a roster to be released to schools and professional groups.

Categories of records in the system: Name, address, telephone, ID number, science field, type of employment, highest degree earned, and race.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The roster will be released to high schools and other groups who wish to bring women scientists into contact with junior high school, high school and college students.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information will be stored on computer disk.

Retrievability: Computer records retrievable by ID number, name, geographic location, science field, type of employment.

Retention and disposal: Maintained at the Research Triangle Institute until August 1979, then turned over to NSF for disposition.

System manager(s) and address: Director, Division of Scientific Personnel Improvement. NSF, 2000 L Street NW, Washington, D.C. 20550.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information obtained from individuals.

NSF—45

System name: Study to Evaluate Scientific Information Services.

System location: King Research, Inc., 6000 Executive Boulevard, Suite 307, Rockville, Md. 20852; Charles River Associates, Inc., 1050 Massachusetts Avenue, Cambridge Mass. 02138

Categories of individuals covered by the system: A sample of 2,000 physicists is covered.

Categories of records in the system: Demographic, educational and professional characteristics of U.S. physicists. The study concentrates on factors describing the physicists' use of and attitudes toward scientific information services.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The survey is used to develop a data base for generation of a policy-sensitive model of the demand for scientific and technical information services by scientists. This research is funded by NSF under contract DSI: 77-18020. Data provided by respondents will be used by the project staff for analysis purposes only, and will be published only in aggregate form without identifying specific individuals or institutions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Questionnaires and computer cards are maintained by King Research, Inc. through keypunch and preliminary computer runs. Computer cards are maintained by Charles River Associates, Inc. from preliminary computer runs through final generation of the model.

Retrievability: Questionnaires and computer cards are filed by preassigned code number. Respondent names will not appear on questionnaires or computer cards.

Safeguards: All buildings and offices in which questionnaires and computer cards are stored are locked after working hours. Only direct project staff will be allowed access to files. Upon project completion, the list of responsdent names and addresses will be destroyed.

Retention and disposal: Questionnaires will be retained by King Research and computer cards will be retained by Charles River Associates for at least five years. Data will be made available to other researchers only in computer card format.

System manager(s) and address: Donald W. King Research Inc., 6000 Executive Boulevard, Suite 307, Rockville, Md. 20852; David S. Evans, Charles River Associates, Inc., 1050 Massachusetts Avenue, Cambridge, Mass. 02138.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Record source categories: Information obtained from individuals and from other sources available to the general public.

NSF—46

System name: Sample of U.S. Scientists Who Published Research Papers during 1978.

System location: King Research, Inc., 6000 Executive Boulevard, Suite 307, Rockville, Md. 20852.

Categories of individuals covered by the system: The Background Survey individuals who published research papers in scientific journal during calendar year 1978. A sample of scientists in each of three scientific disciplines is covered.

Categories of records in the system: Demographic, education, and professional characteristics of U.S. scientists. The study concentrates primarily upon factors describing the scientists' perceptions of the relative importance of journal characteristics such as price, prestige, type of audience, quality, and level of readership.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Survey is used to generate a data base for analysis performed for the NSF-funded research contract DSI-77-17943 "An In-Depth Study of the Interactions Between Scientists and the Publishing of Scientific Journals." In addition, a subsample of survey respondents are to be contracted for personal interviews regarding their evaluation of the journals which they use. Data provided by respondents are used by the Principal Investigator for analysis purposes only and are published only in summary form without identifying specific individuals or institutions. May be released for statistical purposes without identifiers.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Questionnaires and computer cards are maintained by contractor, King Research.

Retrievability: Questionnaires: Filed alphabetically by last name. Computer Cards: Sorted numerically by preassigned code number.

Safeguards: Building is locked after business hours. Office in which Questionnaire and computer cards are stored is also locked after business hours. After completion of personal interviews and analysis respondents' names are removed from Questionnaires. At the completion of this research project the list of respondents' names, addresses, and telephone numbers will be destroyed.

System manager(s) and address: Helen Ebenfield, Division of Information Science and Technology, National Science Foundation, Washington, D.C. 20550, Dennis McDonald (Principal Investigator, NSF DSI-77-17943.) King Research Inc., Suite 307, 6000 Executive Boulevard, Rockville, Md. 20852.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Record source categories: Information obtained from individuals and from other sources available to the general public.

NSF—47

System name: NSF Applied Research Evaluators Roster.

System location: Paper records are maintained at National Science Foundation, Office of Special Assistant for Oversight and Evaluation, Directorate for Applied Science and Research Applications, 1800 G Street NW., Washington, D.C. 20550. Computer tapes are maintained at Kappa Systems, Inc., 1501 Wilson Boulevard, Arlington, Va. 22209.

Categories of individuals covered by the system: Individuals who have agreed to participate in the NSF applied research evaluation project.

Categories of records in the system: Name, address, and scientific/professional group categorization.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Other Government agencies needing names of potential reviewers or specialists in particular fields may be given information from this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records and computer tapes.

Retrievability: Paper records are filed alphabetically by last name; computer records retrievable by appropriate combination of field of science and engineering and field of application codes.

Safeguards: Records at NSF: Building employs security guard. Building is locked during nonbusiness hours when guard is not on duty. Room in which records are kept is locked during nonbusiness hours. Computer records: A password must be used to access computer files.

Retention and disposal: File is cumulative and is maintained indefinitely.

System manager(s) and address: Special Assistant for Oversight and Evaluation, Directorate for Applied Science and Research Application.

Notification procedure: The NSF Privacy Act officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Information obtained from individual.

NSF-48

System name:

Telephone Call Detail Program.

System location:

National Science Foundation, 1800 G Street NW, Washington, D.C. 20550.

Categories of individuals covered by the system:

All employees (permanent, temporary, part or full time) and all contractors, sub-contractors, and consultants using the National Science Foundation telephone system.

Categories of records in the system:

Records relating to use of NSF telephones to place long distance and other charges; records indicating assignment of telephone extension numbers to employees and other covered individuals; records relating to location of telephone extensions.

Authority for maintenance of the system:

29 U.S.C. 1302.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records and data may be disclosed to employees, contract/subcontract employees and other users of NSF telephone system to determine originating station for telephone calls, but only to the extent that such disclosures consist of comprehensive lists of called numbers, length of calls, location of called numbers, the day and time of calls.

Records may also be disclosed for law enforcement purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained manually in file folders, on diskettes and/or magnetic tapes.

Retrievability:

Records are retrieved by telephone extension number or by telephone number called.

Safeguards:

NSF employs full-time guards around the clock and the building is locked during non-business hours. Rooms in which records are kept are locked during non-business hours. Manual and machine readable records are maintained in filing cabinets with restricted access that are locked after office hours.

Retention and disposal:

Paper records are retained for 180 days and then destroyed, unless an active investigation is pending, then these records are maintained for 3 years and destroyed. Magnetic tapes are retained for two years and then destroyed.

System manager(s) and address:

Director, Division of Administrative Services, National Science Foundation, 1800 G Street NW, Washington, DC 20550.

Notification procedure:

The NSF Privacy Act Officer should be contracted in accordance with procedures found at 45 CFR Part 613.

Record access procedures:

See "Notification Procedures" above.

Contesting record procedures:

See "Notification Procedures" above.

Record source categories:

Telephone assignment records: Call detail listings (monthly).

Systems exempted from certain provisions of the act:

None.

NSF-49

System name:

Frequent Traveler Profile.

System location:

National Science Foundation, Division of Administrative Services, 1800 G Street NW, Washington, DC 20550

Categories of individuals covered by the system:

National Science Foundation frequent travelers.

Categories of records in the system:

Home telephone numbers, credit card information, special handicap requirements, passport numbers and issue dates, and travel preference information.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information will be given to airlines for contacting traveler after hours or on weekends when there are schedule changes. Special requirements (wheelchair, etc.) will be given to airlines and hotels as appropriate. Credit card information will be given to hotels to guarantee room reservations.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained manually in NSF files. Information is also maintained in a computer system at American Airlines.

Retrievability:

Records are filed alphabetically by last name.

Safeguards:

NSF employs a security guard and the building is locked during non-business hours when the guard is not on duty. Rooms in which records are kept are locked during non-business hours.

Retention and disposal:

Credit cards and passports expire and must be renewed periodically. Profiles are destroyed when employees retire or leave the Foundation.

System manager(s) and address:

Director, Division of Administrative Services, National Science Foundation, 1800 G Street NW., Washington, DC 20550

Notification procedure:

The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures:

See "Notification Procedures" above.

Contesting record procedures:

See "Notification Procedures" above.

Record source categories:

Information is received from individual.

Systems exempted from certain provisions of the act:

None.

NSF-50

System name:

Principal Investigator/Proposal File and Associated Records.

System location:

Decentralized. There are numerous separate files maintained by individual NSF offices and programs. National Science Foundation, 1800 G Street, NW., Washington, DC 20550.

Categories of individuals covered by the system:

Each person that requests support from the National Science Foundation, either individually or through an academic institution.

Categories of records in the system:

The name of the principal investigator, the proposal and its identifying number, supporting data from the academic institution or other applicant, proposal evaluations from peer reviewers, a review record, financial data, and other related material.

Authority for maintenance of the system:

44 U.S.C. 3101; 42 U.S.C. 1870.

Purpose(s):

This system enables program offices to maintain appropriate files and investigatory material in evaluating applications for grants or other support. NSF employees may access the system to make decisions regarding which proposals to fund, and to carry out any other authorized internal duties.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure of information may be made:

1. To qualified reviewers for their opinion and evaluation of applicants and their proposals as part of the application review process.
2. To government agencies needing data regarding the names of Principal Investigators and their proposals in order to coordinate programs.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Various portions of the system are maintained on computer disks or in hard copy files, depending upon the individual program office.

Retrievability:

Information can be accessed from the computer data base by addressing any type of data contained in the data base, including individual names. An individual's name may be used to manually access material in alphabetized hard copy files.

Safeguards:

All records containing personal information are maintained in secured file cabinets or are accessed by unique passwords and log-on procedures. Only those employees with a need-to-know in order to perform their duties will be able to access the information.

Retention and disposal:

File is cumulative and is maintained indefinitely.

System manager(s) and address:

Division Director of particular office or program maintaining such records, National Science Foundation, 1800 G Street, NW., Washington, DC 20550.

Notification procedure:

The NSF Privacy Act Officer should be contacted in accordance with procedures set forth at 45 CFR Part 613.

Record access procedures:

See "Notification Procedure" above.

Contesting record procedures:

See "Notification Procedure" above.

Record source categories:

Information is obtained from the principal investigator, academic institution or other applicant, and peer reviewer.

Systems exempted from certain provisions of the act:

The portions of this system consisting of investigatory material which would identify persons supplying evaluations of NSF applicants and their proposals have been exempted pursuant to 5 U.S.C. 552a(k)(5).

NSF-51

System name:

Reviewer/Proposal File and Associated Records.

System location:

Decentralized. There are numerous separate files maintained by individual NSF offices and programs. National Science Foundation, 1800 G Street, NW., Washington, DC 20550.

Categories of individuals covered by the system:

Reviewers that evaluate NSF applicants and their proposals, either by submitting comments through the mail or serving on review panels or site visit teams.

Categories of records in the system:

The "Reviewer/Proposal File and Associated Records" system is a subsystem of the "Principal Investigator/Proposal File and Associated Records," and will contain the reviewer's name, the proposal and its identifying number, proposal rating, and other related material.

Authority for maintenance of the system:

44 U.S.C. 3101; 42 U.S.C. 1870.

Purpose(s):

This system enables program offices to reference specific reviewers and maintain appropriate files and investigatory material in evaluating applications for grants or other support. NSF employees may access the system to make decisions regarding proposals and to perform any other authorized internal duties.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure of information may be made to government agencies needed names of potential reviewers or specialists in particular fields.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Various portions of the system are maintained on computer disks or in hard copy files, depending upon the individual program office.

Retrievability:

Information can be accessed from the computer database by addressing any type of data contained in the database, including individual names. An individual's name may be used to manually access material in alphabetized hard copy files.

Safeguards:

All records containing personal information are maintained in secured file cabinets or are accessed by unique passwords and log-on procedures. Only those employees with a need-to-know in order to perform their duties will be able to access the information.

Retention and disposal:

File is comulative and is maintained indefinitely.

System manager(s) and address:

Division Director of particular office or program maintaining such records, National Science Foundation, 1800 G Street, NW., Washington, DC 20550.

Notification procedure:

The NSF Privacy Act Officer should be contacted in accordance with procedures set forth at 45 CFR Part 613.

Record access procedures:

See "Notification Procedure" above.

Contesting record procedures:

See "Notification Procedure" above.

Record source categories:

Information is obtained from the individual reviewer.

Systems exempted from certain provisions of the act:

None.

Title 45-Public Welfare

Subtitle B-Regulations Relating to Public Welfare

Chapter VI-National Science Foundation

PART 613—PRIVACY ACT REGULATIONS

Sec.
613.1 Purpose and scope.
613.2 Procedures for notification of existence of records pertaining to individuals.
613.3 Procedures for requests for access to or disclosure of records pertaining to an individual.
613.4 Correction of records.
613.5 Disclosure of records to agencies or persons other than the individual to whom the record pertains.
613.6 Exemptions.

Authority: 5 USC 552a(f).

Source: 40 FR 44510, Sept. 26, 1975, unless otherwise noted.

§ 613.1 Purpose and scope.

This part sets forth the National Science Foundation procedures under the Privacy Act of 1974 as required by 5 USC 552a(f). Internal guidance for NSF staff and other regulations implementing the Privacy Act are contained or will be contained in NSF Circulars.

§ 613.2 Procedures for notification of existence of records pertaining to individuals.

(a) The systems of records, as defined in the Privacy Act of 1974, maintained by the National Science Foundation are listed annually in the **Federal Register** as required by that Act. Any person who wishes to know whether a system of records contains a record pertaining to him may either appear in person at the NSF Management Analysis Office at 1800 G St., NW., Washington, D.C. 20550, on work days between the hours of 8:30 a.m. and 5:00 p.m. or may write to the NSF Privacy Act Officer, Assistant Director for Administration, National Science Foundation, Washington, D.C. 20550, it is recommended that requests be made in writing, since in many cases it will take several days to ascertain whether a record exists.

(b) Requests for notification of the existence of a record should specifically identify the system of records involved and should state, if the requester is other than the individual to whom the record pertains, the relationship of the requester to that individual. (Note that requests will not be honored by the Foundation pursuant to the Privacy Act unless made (1) by the individual to whom the record pertains, (2) by such individual's parent if the individual is a minor, or (3) by such individual's legal guardian if the individual has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction). In cases where the NSF Notice of the System appearing in the **Federal Register** states that the system location is decentralized the special instruction in such notice pertaining to "Notification" and "Access" and "Content" must be followed.

(c) The Foundation will attempt to respond to a request as to whether a record exists within 10 working days from the time it receives the request or from the time any required identification is established, whichever is later.

§ 613.3 Procedures for requests for access to or disclosure of records pertaining to an individual.

(a) Any person may request review of records pertaining to him by appearing at the NSF Management Analysis Office at 1800 G Street, NW., Washington, D.C. on work days between the hours of 8:30 a.m. and 5:00 p.m. or by writing to the NSF Privacy Act Officer, Assistant Director for Administration, NSF, Washington, D.C. 20550. (See paragraphs (b) and (c) of this section, for identification requirements.) The request should specifically identify the systems of records involved, and the request should include any special information specified in the notice of the system under "Notification" and "Access and Contest." The Foundation will strive either to make the record available within 15 working days of the request or to inform the requester of the need for additional identification or the tendering of fees (as specified in § 613.4(e)) within 15 working days; except that if the request for access was not preceded by a notification request as provided in § 613.2, then the 15-day period shall not begin until after such time as it has been determined that the record exists.

(b) In the case of persons making requests by appearing at the Foundation the amount of personal identification required will of necessity vary with the sensitivity of the record involved. Except as indicated below reasonable identification such as employment identification cards, drivers licenses, credit cards will normally be accepted as sufficient evidence of identity in the absence of any indications to the contrary. Records in the following systems of records, however, are considered to contain relatively sensitive and/or detailed personal information—

Employment Inquiries and Background Information;
Applicants to Committee on the Challenges and Modern Society Fellowship Program (NATO);
Confidential Statements of Employment and Financial Interests;
Congressional Contact Files;
Doctorate Records File;
Earnings and Tax Statements;
Employee Grievance and Appeals File;
Employee Payroll Jackets;
Equal Employment Opportunity Case File;
Fellowship and Traineeship Filing System;
Grants to Individuals;
Health Service Medical Records;
Intergovernmental Personnel Act Assignment Agreements;
Manpower Management Subsystem;
Medical Examination Records for Service in Antarctica;
Minority Applicants for Employment;
Nominees for and Recipients of the National Medal of Science;
NSF Payroll System;
Official Passports;
Official Personnel Folders;
Presidential Internships in Science and Engineering;
Science Education Participant Information Subsystem;
Separated Employees Service Record (SF7);
Student Science Training Program Participant Information;
Time and Attendance Reports;
U.S. Antarctic Research Program Personal Information;
U.S. Antarctic Research Program Field Participants;
Alien Applications for Consideration of Waiver of Two-Year Foreign Residence Requirements—NSF;
Reviewer/Panelist Information Subsystem; and
Nominees for and Recipients of the Alan T. Waterman Award Nomination File.

Accordingly, with respect to requests for records in these systems the Foundation reserves the right to require sufficient identification to identify positively the individual making the request. This might involve independent verification by the Foundation as by phone calls to determine whether an individual has made a request, personal identification by Foundation employees who know the individual, or such other means as are considered appropriate under the circumstances.

(c) A written request will be honored only if it contains the following certification before a duly commissioned notary public of any state or territory (or similar official if the request is made outside the United States):

I, ——————————, do hereby certify that I am the individual about whom the record requested in this letter pertains or that I am within the class of persons authorized to act on his behalf in accordance with 5 USC 552a(h).

____

(Signature)

____

(Date)
In the County of ______________________
State of ______________________
On this ——— day of ——————, 19—.

____

(Name of Individual)
who is personally known to me, did appear before me and sign the above certificate.

____

(Signature)

____

(Date)
(S) My commission expires ——————.

However, where the record requested is contained in any of the systems of records listed in paragraph (b) of this section, the Foundation reserves the right to require additional identification and/or to independently verify to its satisfaction the identity of the requester.

(d) Charges for copies of records will be at the rate of 0.10 cents per photocopy of each page. Where records are not susceptible to photo-copying, e.g., punch cards, magnetic tapes or oversize materials, the amount charged will be actual cost as determined on a case-by-case basis. Only one copy of each record requested will be supplied. No charge will be made unless the charge as computed above would exceed 3.00 dollars for each request or related series of requests. If a fee in excess of 25.00 dollars would be required, the requester shall be notified and the fee must be tendered before the records will be copied.

(e) The procedures of paragraphs (a)–(d) of this section shall also apply to requests made pursuant to 5 U.S.C. 552a(c)(3) that accountings made under 5 U.S.C. 552a(c)(1) be made available.

[40 FR 44510, Sept. 26, 1975, as amended at 42 FR 8639, Feb. 11, 1977]

§ 613.4 Correction of records.

(a) Any individual is entitled to request amendments of records pertaining to him pursuant to 5 U.S.C. 552a(d)(2). Such a request shall be made in writing and addressed to the Privacy Act Officer, Assistant Director for Administration, National Science Foundation, Washington, D.C. 20550.

(b) The request should specify the record and systems of records involved, and should specify the exact correction desired and state that the request is made pursuant to the Privacy Act. An edited copy of the record showing the desired correction is desirable. Within 10 working days of the receipt of a properly addressed request (or within 10 working days of the time the Privacy Act Officer becomes aware that a particular communication not addressed as prescribed above is a request for correction of a record under the Privacy Act), the Privacy Act Officer shall acknowledge receipt of the request.

(c) The Privacy Act Officer upon the receipt of such a request shall promptly confer with the Directorate or office within the Foundation responsible for the record. In the event it is felt that correction is not warranted in whole or in part, the matter shall be brought to the attention of the General Counsel. If, after review by the General Counsel and discussion with the requester if deemed helpful, it is determined that correction as requested is not warranted, a letter shall be sent by the Privacy Act Officer to the requester denying his request and/or explaining what correction might be made if agreeable to the requester. This letter shall set forth the reasons for the refusal to honor the request for correction. It shall also inform him of his right to appeal this decision and include a description of the appeals procedure set forth in paragraph (d) of this section. Such letter or notification that the desired correction will be made shall normally be sent within 30 working days of the receipt of a properly addressed request (or within 30 working days of the time the Privacy Act Officer becomes aware that a particular communication not addressed as prescribed above is a request for correction of a record under the Privacy Act).

(d) An appeal may be taken from an adverse determination under paragraph (c) of this section, to the Deputy Director of the Foundation. Such appeal must be made in writing and should clearly indicate that it is an appeal. The basis for the appeal should be included, and it should be mailed to the same address as listed in paragraph (a) of this section. A hearing at the Foundation may be requested. Such hearing will be informal, and shall be before the Deputy Director or his designee. If no hearing is requested, the request for appeal should include the basis for the appeal. Where no hearing is requested the Deputy Director shall render his decision within thirty working days after receipt of the written appeal at the Foundation unless the Director, for good cause shown, extends the 30-day period and the appellant is advised in writing of such extension. If a hearing is requested, then the Foundation will attempt to contact the appellant within five working days and arrange a suitable time for the hearing. In such case the decision of the Deputy Director shall be made within 30 working days after the hearing unless the time is extended and the appellant is advised in writing of such extension.

(e) The final decision of the Deputy Director in an appeal shall be in writing and, if adverse to the appellant, set forth the reasons for the refusal to amend the record and advise him of his right to appeal the decision under 5 U.S.C. 552a(g)(1)(A). The individual shall also be notified that he has the right to file with the Foundation a concise statement setting forth the reasons for his disagreement with the refusal of the Foundation to amend his record.

[40 FR 44510, Sept. 26, 1975, as amended at 42 FR 8639, Feb. 11, 1977]

§ 613.5 Disclosure of records to agencies or persons other than the individual to whom the record pertains.

Records subject to the Privacy Act that are requested by any person other than the individual to whom they pertain will not be made available except under the following circumstances:

(a) Records required to be made available by the Freedom of Information Act will be released in response to a request formulated in accordance with NSF regulations found at 45 CFR Part 612.

(b) Records not required by the Freedom of Information Act to be released may be released, at the discretion of the Foundation, if the written consent of the individual to whom they pertain has been obtained or if such release would be authorized under 5 USC 552a(b)(1) or (3)–(11).

§ 613.6 Exemptions.

(a) *Fellowships and other support.* Pursuant to 5 USC 552a(k)(5), the Foundation hereby exempts from the application of 5 USC 552a(d) any materials which would disclose the identity of references of fellowship applicants or reviewers of applicants for Federal contracts (including grants and cooperative agreements) contained in any of the following systems of records: (1) Fellowship and Traineeship Filing System, (2) Applicants to Committee on the Challenges of Modern Society Fellowship Program (NATO), and (3) Principal Investigator/Proposal File and Associated Records.

(b) *Applicants for Employment.* Pursuant to 5 USC 552a(k)(5), the Foundation hereby exempts from the application of 5 USC 552a(d) any materials which would disclose the identity of references of applicants for employment at NSF contained in the system of records entitled "Official Personnel Folders."

0 FR 44510, Sept. 26, 1975, as amended at 53
R 42951, Oct. 25, 1988]

NATIONAL SECURITY COUNCIL

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NSC 1.1

System name: Central Research Index 1.1—NSC.

Security classification: Top Secret.

System location: NSC Staff Secretariat, National Security Council, Old Executive Office Building, Washington, D.C. 20506.

Categories of individuals covered by the system: U.S. Government officials and members of the public who correspond with or participate in foreign policy decision making with the President or his Assistant for National Security Affairs.

Categories of records in the system: Computerized management records of material processed through the NSC Staff Secretariat for Indexing, Control, and Staffing.

Authority for maintenance of the system: 50 U.S.C. 401.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to Government agencies as part of status determinations on action requests of particular agencies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in computer storage form.

Retrievability: Indexed by name of public correspondent or U.S. Government source or participant.

Safeguards: Safeguarded as required for the control of Top Secret materials pursuant to Executive Order 11652 (37 FR 5207, March 10, 1972) and as described in the implementing National Security Council directive governing the classification, downgrading, declassification and safeguarding of national security information of May 17, 1972.

Retention and disposal: System contains both working and permanent records. References to institutional NSC files are maintained on an active file while records which point to Presidential documents are retired at the change of administration.

System manager(s) and address: Staff Secretary, National Security Council, Old Executive Office Building, Washington, D.C. 20506. Telephone: 202-395-3440.

Notification procedure: Same as the above.

Record access procedures: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Documents furnished by individuals.

Systems exempted from certain provisions of the act: This system of records is the index for other NSC files, except agency personnel records and files, and may be exempt from the provisions of the Privacy Act pursuant to 5 U.S.C. 552a (k)(1). Files to which this index refers may not be covered by the Privacy Act and to the extent they are subject to the Act, they may also be exempt under section (k)(1).

NSC 1.2

System name: NSC Correspondence Files 1.2—BSC.

Security classification: Top Secret.

System location: NSC Staff Secretariat, National Security Council, Old Executive Office Building, Washington, D.C. 20506.

Categories of individuals covered by the system: Individuals corresponding with the NSC staff for the purposes described below.

Categories of records in the system: Requests by students, scholars, researchers, other Government agencies and the general public for access to official records.

Authority for maintenance of the system: 50 U.S.C. 40f.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to other agencies for appropriate assistance in responding to requests.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper documents in folders files by control number assigned upon receipt of the document. A working copy of the document is maintained on microfiche.

Retrievability: The Central Research Index (NSC 1.1) constitutes the index to this file.

Safeguards: Safeguarded as required for the control of Top Secret materials pursuant to E.O. 11652 (37 FR 5207, March 10, 1972) and as described in the implementing National Security Council directive governing the classification, downgrading, declassification, and safeguarding the national security information of May 17, 1972.

Retention and disposal: Records are permanent and are retained in NSC files.

System manager(s) and address: Staff Secretary, National Security Council, Old Executive Office Building, Washington, D.C. 20506. Telephone: 202-395-3440.

Notification procedure: Same as the above.

Record access procedures: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Correspondence with members of the public and U.S. Government officials.

Systems exempted from certain provisions of the act: (k)(1).

NSC 1.3

System name: NSC Meetings Registry 1.3—NSC.

Security classification: NSC Staff Secretariat, National Security Council, Old Executive Office Building, Washington, D.C. 20506.

Categories of individuals covered by the system: Participants in meetings of the NSC and subordinate bodies held since January 20, 1969.

Categories of records in the system: Identifies U.S. Government officials who attended or participated in these meetings.

Authority for maintenance of the system: 50 U.S.C. 401.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: The Central Research Index (NSC 1.1) is the index to this file.

Safeguards: Safeguarded as required for the control of Top Secret materials pursuant to E.O. 11652 (37 FR 5207, March 10, 1972) and as described in the implementing National Security Council directive governing the classification, downgrading, declassification, and safeguarding of national security information of May 17, 1972.

Retention and disposal: Records are permanent and are maintained in NSC files.

System manager(s) and address: Staff Secretary, National Security Council, Old Executive Office Building, Washington, D.C. 20506.

Notification procedure: Same as the above.

Record access procedures: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Records of NSC meetings.

Systems exempted from certain provisions of the act: (k)(1).

NSC 1.4

System name: Agency Personnel Records and Files 1.4—NSC.

Security classification: Unclassified.

System location: Administrative Office, National Security Council, Old Executive Office Building, Washington, D.C. 20506.

Categories of individuals covered by the system: Employees appointed to the NSC staff and payrolled from NSC funds and employees of other agencies detailed, either on a reimbursable or nonreimbursable basis, to the NSC staff.

Categories of records in the system: For each-employee payrolled to the NSC staff, the following information is maintained:

1. Official personnel folder with contents:
   A. SF-86 Security Investigation Data for Sensitive Position.
   B. SF-171 Personnel Qualification Statement.
   C. SF-50 Notification of Personnel Action.
   D. SF-61 Oath of Office.
   E. SF-176 Life Insurance Elective, Declination or Waiver.
   F. SF-2809-2810 Health Benefits Form.
   G. Treasury Form TUS 426D (or equivalent)—Payroll Change Slip, Bi-Weekly.
   H. Memoranda of Performance Ratings together with memos requesting promotion.
   I. Letters of commendation.
   J. Treasury Form TUS 492—Notice of Leave Category.

K. SF-2815 Employee Service Statement.
L. SF-1150 Record of Leave Data.
2. Service record card—SF-7 History of Employment with the agency.
3. Retirement Records—SF-2806 and 2807, Records of Retirement Monies withheld from Individual Employee's Salary.
4. Health Benefits—2809, 2810, and 2811, Record of Individual's Enrollment in One of the Health Plans Available Through U.S. Government.
5. SF-50 Chronos.
6. Term of Service Records.

Authority for maintenance of the system: 5 U.S.C. 401, U.S. Civil Service Commission authority, and implementing regulations in the Federal Personnel Manual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Authorized investigative pre-employment checks.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in personnel jackets.

Retrievability: Indexed alphabetically for OPF's; SF-7's; SF-2806. SF-113—indexed by month and year.

Safeguards: Filed in combination safes which are accessed only by administrative office personnel and which are secured each evening.

Retention and disposal: OPF retained until employee leaves NSC staff by transfer at which time the file is sent to the receiving agency. Upon resignation or retirement the file is sent to the Federal Records Center in St. Louis, Missouri. Upon death appropriate forms are submitted and distributed in accordance with CSC regulation and the remainder of the file is sent to the Federal Record Center in St. Louis, Missouri.

SF-7 Retained as a permanent service record in the agency.
SF-2806 and 2807 Forwarded to CFC retirement office when employee leaves by transfer, resignation, retirement, or death.
SF-113 A Copy remains in agency and is destroyed after five to ten years.
Term of service records copy remains in agency files which are periodically purged at the discretion of the administrative office personnel.

System manager(s) and address: Staff Secretary, National Security Council, Old Executive Office Building, Washington, D.C. 20506.

Notification procedure: Same as above.

Record access procedures: Same as the above.

Contesting record procedures: Same as the above.

Record source categories:

SF-171 from employee.
SF-186 from employee.
All other forms shown under item one are standardized within the U.S. Government and are used as directives by the Civil Service Commission.

Systems exempted from certain provisions of the act: None.

NSC 2.1

System name: Presidential Correspondence Files 2.1—NSC.

Security classification: Unclassified.

System location: The White House Office, Washington, D.C. 20500

Categories of individuals covered by the system: Individuals who correspond with the President or the Assistant to the President for National Security Affairs on issues of foreign policy and national security affairs whose correspondence has been referred to the NSC Secretariat for Logging, Control, and Staffing.

Categories of records in the system: Correspondence.

Authority for maintenance of the system: 50 U.S.C. 401.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to other agencies for required assistance in responding to public inquiries.

Systems exempted from certain provisions of the act: These files are maintained by the White House Staff in support of the President and are not covered by the Privacy Act of 1974 in that under the Privacy Act the White House is not considered an agency.

NSC 2.2

System name: Presidential Advisory Files 2.2—NSC.

Security classification: Top Secret.

System location: The White House, Washington, D.C. 20500.

Categories of individuals covered by the system: Individuals, primarily U.S. and foreign government officials, who correspond with or participate in meetings with the President or the Assistant to the President for National Security Affairs on matters of foreign policy.

Categories of records in the system: Correspondence and records of meetings with the President and the Assistant for National Security Affairs.

Authority for maintenance of the system: 50 U.S.C. 401.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: The Central Research Index (NSC 1.1) is used to identify specific records.

Safeguards: Safeguarded as required for the control of classified materials pursuant to E.O. 11652 (37 FR 5207, March 10, 1972) and is described in the implementing National Security Council directive governing the classification, downgrading, declassification, and safeguarding of national security information of May 17, 1972.

Retention and disposal: Records are removed from the White House Office after the change of a Presidential Administration.

Systems exempted from certain provisions of the act: These materials are maintained in support of the President and his Assistant for National Security Affairs by NSC staff personnel, acting on behalf of the President. As a result these records which are maintained in the White House Office are not subject to the provisions of the Privacy Act 1974 (5 U.S.C. 552A).

NSC 2.3

System name: Presidential Contact File 2.3—NSC.

Security classification: Unclassified.

System location: Staff Secretary, National Security Council, Old Executive Office Building, Washington, D.C. 20506.

Categories of individuals covered by the system: Individuals participating in meetings between the President and foreign officials.

Categories of records in the system: Records of the President's meetings.

Authority for maintenance of the system: 50 U.S.C. 401.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: The Central Research Index is used to identify specific records.

Safeguards: Documents are controlled within the NSC staff offices as required by the safeguards for control of classified materials pursuant to E.O. 11652 (37 FR 5207, March 10, 1972) and as described in the implementing National Security Council directive governing the classification, downgrading, declassification, and safeguarding of national security information May 17, 1972. Within the White House Office these documents are considered proprietary materials and are not released to members of the public.

Retention and disposal: Records are removed from the White House Office after the change of a Presidential administration.

Systems exempted from certain provisions of the act: These records are maintained in support of the Office of the President and are in no way related to the function of the National Security Council. As a result these records are not covered by the Privacy Act of 1974 (5 U.S.C. 552A).

Title 32-National Defense

Subtitle B-Other Regulations Relating to National Defense

Chapter XXI-National Security Council

PART 2102—RULES AND REGULATIONS TO IMPLEMENT THE PRIVACY ACT OF 1974

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2102.1 Introduction.
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2102.61 Exemptions.

Authority: 5 U.S.C. 552a (f) and (k).

Source: 40 FR 47746, Oct. 9, 1975, unless otherwise noted.

§ 2102.1 Introduction.

(a) Insofar as the Privacy Act of 1974 (5 U.S.C. 552a) applies to the National Security Council (hereafter NSC), it provides the American public with expanded opportunities to gain access to records maintained by the NSC Staff which may pertain to them as individuals. These regulations are the exclusive means by which individuals may request personally identifiable records and information from the National Security Council.

(b) The NSC Staff, in addition to performing the functions prescribed in the National Security Act of 1947, as amended (50 U.S.C. 401), also serves as the supporting staff to the President in the conduct of foreign affairs. In doing so the NSC Staff is acting not as an agency but as an extension of the White House Office. In that the White House Office is not considered an agency for the purposes of this Act, the materials which are used by NSC Staff personnel in their role as supporting staff to the President are not subject to the provisions of the Privacy Act of 1974. A description of these White House Office files is, nevertheless, appended to the NSC notices of systems of files and will be published annually in the **Federal Register**.

(c) In general, records in NSC files pertain to individual members of the public only if these individuals have been (1) employed by the NSC, (2) have corresponded on a foreign policy matter with a member of the NSC or its staff, or (3) have, as a U.S. Government official, participated in an NSC meeting or in the preparation of foreign policy-related documents for the NSC.

§ 2102.2 Purpose and scope.

(a) The following regulations set forth procedures whereby individuals may seek and gain access to records concerning themselves and will guide the NSC Staff response to requests under the Privacy Act. In addition, they outline the requirements applicable to the personnel maintaining NSC systems of records.

(b) These regulations, published pursuant to the Privacy Act of 1974, Pub. L. 93–579, Section 552a (f) and (k), 5 U.S.C. (hereinafter the Act), advise of procedures whereby an individual can:

(1) Request notification of whether the NSC Staff maintains or has disclosed a record pertaining to him or her in any non-exempt system of records;

(2) Request a copy of such record or an accounting of that disclosure;

(3) Request an amendment to a record; and,

(4) Appeal any initial adverse determination of any request under the Act.

(c) These regulations also specify those systems of records which the NSC has determined to be exempt from certain provisions of the Act and thus not subject to procedures established by this regulation.

§ 2102.3 Definitions.

As used in these regulations:

(a) *Individual.* A citizen of the United States or an alien lawfully admitted for permanent residence.

(b) *Maintain.* Includes maintain, collect, use or disseminate. Under the Act it is also used to connote control over, and, therefore, responsibility for, systems of records in support of the NSC statutory function (50 U.S.C. 401, et seq.).

(c) *Systems of Records.* A grouping of any records maintained by the NSC from which information is retrieved by the name of the individual or by some other identifying particular assigned to the individual.

(d) *Determination.* Any decision made by the NSC or designated official thereof which affects the individual's rights, opportunities, benefits, etc. and which is based in whole or in part on information contained in that individual's record.

(e) *Routine Use.* With respect to the disclosure of a record, the use of such a record in a manner which is compatible with the purpose for which it was collected.

(f) *Disclosure.* The granting of access or transfer of a record by any means.

§ 2102.4 Procedures for determining if an individual is the subject of a record.

(a) Individuals desiring to determine if they are the subject of a record or system of records maintained by the NSC Staff should address their inquiries, marking them plainly as a *PRIVACY ACT REQUEST,* to:

Staff Secretary, National Security Council,
Room 374, Old Executive Office Building,
Washington, D.C. 20506.

All requests must be made in writing and should contain:

(1) A specific reference to the system of records maintained by the NSC as listed in the NSC Notices of Systems and Records (copies available upon request); or

(2) A description of the record or systems of records in sufficient detail to allow the NSC to determine whether the record does, in fact, exist in an NSC system of records.

(b) All requests must contain the printed or typewritten name of the individual to whom the record pertains, the signature of the individual making the request, and the address to which the reply should be sent. In instances when the identification is insufficient to insure disclosure to the individual to whom the information pertains in view of the sensitivity of the information, NSC reserves the right to solicit from the requestor additional identifying information.

(c) Responses to all requests under the Act will be made by the Staff Secretary, or by another designated member of the NSC Staff authorized to act in the name of the Staff Secretary in responding to a request under this Act. Every effort will be made to inform the requestor if he or she is the subject of a specific record or system of records within ten working days (excluding Saturdays, Sundays and legal Federal Holidays) of receipt of the request. Such a response will also contain the procedures to be followed in order to gain access to any record which may exist and a copy of the most recent NSC notice, as published in the **Federal Register**, on the system of records in which the record is contained.

(d) Whenever it is not possible to respond in the time period specified above, the NSC Staff Secretary or a designated alternate will, within ten working days (excluding Saturdays, Sundays and legal Federal Holidays), inform the requestor of the reasons for the delay (e.g., insufficient requestor information, difficulties in record location, etc.), steps that need to be taken in order to expedite the request, and the date by which a response is anticipated.

§ 2102.13 Requirements for access to a record.

(a) Individuals requesting access to a record or system of records in which there is information concerning them must address a request in writing to the Staff Secretary of the NSC (see § 2102.1). Due to restricted access to NSC offices in the Old Executive Office Building where the files are located, requests cannot be made in person.

(b) All written requests should contain a concise description of the records to which access is requested. In addition, the requestor should include any other information which he or she feels would assist in the timely identification of the record. Verification of the requestor's identity will be determined under the same procedures used in requests for learning of the existence of a record.

(c) To the extent possible, any request for access will be answered by the Staff Secretary or a designated alternate within ten working days (excluding Saturdays, Sundays, and legal Federal holidays) of the receipt of the request. In the event that a response cannot be made within this time, the requestor will be notified by mail of the reasons for the delay and the date upon which a reply can be expected.

(d) The NSC response will forward a copy of the requested materials unless further identification or clarification of the request is required. In the event access is denied, the requestor shall be informed of the reasons therefore and the name and address of the individual to whom an appeal should be directed.

§ 2102.15 Requirements for requests to amend records.

(a) Individuals wishing to amend a record contained in the NSC systems of records pertaining to them must submit a request in writing to the Staff Secretary of the NSC in accordance with the procedures set forth herein.

(b) All requests for amendment or correction of a record must state concisely the reason for requesting the amendment. Such requests should include a brief statement which describes the information the requestor believes to be inaccurate, incomplete, or unnecessary and the amendment or correction desired.

(c) To the extent possible, every request for amendment of a record will be answered within ten working days (excluding Saturdays, Sundays, and legal Federal holidays) of the receipt of the request. In the event that a response cannot be made within this time, the requestor will be notified by mail of the reasons for the delay and the date upon which a reply can be expected. A final response to a request for amendment will include the NSC Staff determination on whether to grant or deny the request. If the request is denied, the response will include:

(1) The reasons for the decision;

(2) The name and address of the individual to whom an appeal should be directed;

(3) A description of the process for review of the appeal within the NSC; and

(4) A description of any other procedures which may be required of the individual in order to process the appeal.

§ 2102.21 Procedures for appeal of determination to deny access to or amendment of requested records.

(a) Individuals wishing to appeal an NSC Staff denial of a request for access or to amend a record concerning them must address a letter of appeal to the Staff Secretary of the NSC. The letter must be received within thirty days from the date of the Staff Secretary's notice of denial and, at a minimum, should identify the following:

(1) The records involved;

(2) The dates of the initial request and subsequent NSC determination; and

(3) A brief statement of the reasons supporting the request for reversal of the adverse determination.

(b) Within thirty working days (excluding Saturdays, Sundays and legal Federal Holidays) of the date of receipt of the letter of appeal, the Assistant to the President for National Security Affairs (hereinafter the "Assistant"), or the Deputy Assistant to the President for National Security Affairs (hereinafter the "Deputy Assistant"), acting in his name, shall issue a determination on the appeal. In the event that a final determination cannot be made within this time period, the requestor will be informed of the delay, the reasons therefor and the date on which a final response is expected.

(c) If the original request was for access and the initial determination is reversed, a copy of the records sought will be sent to the individual. If the initial determination is upheld, the requestor will be so advised and informed of the right to judicial review pursuant to 5 U.S.C. 552a(g).

(d) If the initial denial of a request to amend a record is reversed, the records will be corrected and a copy of the amended record will be sent to the individual. In the event the original decision is upheld by the Assistant to the President, the requestor will be so advised and informed in writing of his or her right to seek judicial review of the final agency determination, pursuant to Section 552a(g) of Title 5, U.S.C. In addition, the requestor will be advised of his right to have a concise statement of the reasons for disagreeing with the final determination appended to the disputed records. This statement should be mailed to the Staff Secretary within ten working days (excluding Saturdays, Sundays, and legal Federal Holidays) of the date of the requestor's receipt of the final determination.

§ 2102.31 Disclosure of a record to persons other than the individual to whom it pertains.

(a) Except as provided by the Privacy Act, 5 U.S.C. 552a(b), the NSC will not disclose a record concerning an individual to another person or agency without the prior written consent of the individual to whom the record pertains.

§ 2102.41 Fees.

(a) Individuals will not be charged for:

(1) The first copy of any record provided in response to a request for access or amendment;

(2) The search for, or review of, records in NSC files;

(3) Any copies reproduced as a necessary part of making a record or portion thereof available to the individual.

(b) After the first copy has been provided, records will be reproduced at the rate of twenty-five cents per page for all copying of four pages or more.

(c) The Staff Secretary may provide copies of a record at no charge if it is determined to be in the interest of the Government.

(d) The Staff Secretary may require that all fees be paid in full prior to the issuance of the requested copies.

(e) Remittances shall be in the form of a personal check or bank draft drawn on a bank in the United States, or a postal money order. Remittances shall be made payable to the "United States Treasury" and mailed to the Staff Secretary, National Security Council, Washington, D.C. 20506.

(f) A receipt for fees paid will be given only upon request. Refund of fees paid for services actually rendered will not be made.

§ 2102.51 Penalties.

Title 18, U.S.C. Section 1001, Crimes and Criminal Procedures, makes it a criminal offense, subject to a maximum fine of $10,000 or imprisonment for not more than five years or both, to knowingly and willfully make or cause to be made any false or fraudulent statements or representations in any matter within the jurisdiction of any agency of the United States. Section (i) (3) of the Privacy Act (5 U.S.C. 552a) makes it a misdemeanor, subject to a maximum fine of 5,000, to knowingly and willfully request or obtain any record concerning an individual under false pretenses. Sections (i)(1) and (2) of 5 U.S.C. 552a provide penalties for violations by agency employees, of the Privacy Act or regulations established thereunder.

§ 2102.61 Exemptions.

Pursuant to subsection (k) of the Privacy Act (5 U.S.C. 552a), the Staff Secretary has determined that certain NSC systems of records may be exempt in part from Sections 553(c)(3), (d), (e)(1), (e)(4), (G), (H), (I), and (f) of Title 5, and from the provisions of these regulations. These systems of records may contain information which is classified pursuant to Executive Order 11652. To the extent that this occurs, records in the following systems would be exempt under the provision of 5 U.S.C. 552a(k)(1):

NSC 1.1—Central Research Index,
NSC 1.2—NSC Correspondence Files, and
NSC 1.3—NSC Meetings Registry.

NATIONAL TRANSPORTATION SAFETY BOARD

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PREFATORY STATEMENT OF GENERAL ROUTINE USES

The following previously published routine uses apply to and are incorporated by reference into each system of records set forth below:

1. Referral to law enforcement agencies of violations of the law.
2. Disclosure for discovery purposes ordered by a court.
3. Disclosure to a congressional office of the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

NTSB—1

System name: Claimants under Federal Tort Claims Act—NTSB.

System location:

National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Categories of individuals covered by the system: Persons with claims against the Government for damage to or loss of property, or personal injury or death, caused by the negligent or wrongful act or omission of any NTSB employee acting within the scope of his employment (provided that any award, compromise, or settlement in excess of twenty-five thousand dollars may be effected only with the prior written approval of the Attorney General or his designee).

Categories of records in the system: Contains claim, subrogations, legal opinion as to liability of the Government with respect to the claim, final determination, and supporting receipts.

Authority for maintenance of the system: Tort Claims Procedure, 28 U.S.C. 2671.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used to established liability and the amount of such liability. Routine use includes, but is not limited to referral to potential employers and for security clearance; also, see routine uses in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in system is maintained on a 8- by 10- inch form.

Retrievability: Indexed by name.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are manually kept and are retained for one year after disposition of the claim and then sent ot the Federal Records Center, NARA, where they are retained for at least six years.

System manager(s) and address:

Comptroller
Bureau of Administration
National Transportation Safety Board
800 Independence Avenue, SW
Washington, D.C. 20594

Notification procedure: Address inquiries to Director, Bureau of Administration.

Record access procedures: Procedures are detailed in NTSB regulation 49 CFR Part 802 (41 FR 43154).

Contesting record procedures: Same as the above.

Record source categories: Claimant and employee or employees of the Government involved in the claim and witnesses to the incident or accident.

NTSB—2

System name: Personnel Nonpermanent Records—NTSB.

System location:

National Transportation Safety Board
800 Independence Avenue, SW
Washington, D.C. 20594

Categories of individuals covered by the system: Employees of NTSB.

Categories of records in the system: Personnel nonpermanent records not required to be kept by CSC, usually of a personal nature.

Authority for maintenance of the system: 5 U.S.C. 301 et seq., implemented by 5 CFR Part 293.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used to carry out authorized personnel programs, such as promotions. Routine use includes, but is not limited to, referral to potential employers and for security clearance; also, see routine uses in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is maintained in SF 66, on left-hand side of folder.

Retrievability: Indexed by name.

Safeguards: Records are kept in locked cabinets.

Retention and disposal: Records are manually kept and are retained until individual's employment at NTSB terminates, at which time the records are destroyed.

System manager(s) and address:

Personel Officer
National Transportation Safety Board
800 Independence Avenue, SW
Washington, D.C. 20594

Notification procedure: Address inquiries to Director, Bureau of Administration.

Record access procedures: Procedures are detailed in NTSB regulation 49 CFR Part 802 (41 22357, as amended 41 FR 43154).

Contesting record procedures: Same as the above.

Record source categories: Working papers developed during course of employment; e.g., from supervisors, including performance evaluation, letters of commendation, and documents which are not permanently retained.

NTSB—3

System name: Security Records—NTSB.

System location:

National Transportation Safety Board
800 Independence Avenue, SW
Washington, D.C. 20594

Categories of individuals covered by the system: Employees, prospective employees, and potential contractors.

Categories of records in the system: Matters pertaining to loyalty qualifications of the individuals—loyalty checks, character evaluations, crimes, past employment records, military service—investigated by NTSB and other agencies such as FBI, DOD, or CSC.

Authority for maintenance of the system: Executive Order 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used to determine qualification of an individual for employment by NTSB, or as a contractor with NTSB; also, see routine uses in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in system is stored in 9- by 12-inch file folders.

Retrievability: Information is indexed by name.

Safeguards: Records are maintained in locked cabinets or safes.

Retention and disposal: Records are kept manually and are retained by NTSB while the individual is employed by NTSB or is under contract with NTSB. Thereafter, that portion of the records representing information originating from NTSB investigation is destroyed. Investigation reports of other agencies are returned to the originating agency.

System manager(s) and address:

Personnel Officer
Director, Bureau of Administration
National Transportation Safety Board
800 Independence Avenue, SW

Washington, D.C. 20594

Notification procedure: Address inquiries to Director, Bureau of Administration.

Record access procedures: Procedures are detailed in NTSB regulation 49 CFR Part 802 (41 FR 22357, as amended 41 FR 43154).

Contesting record procedures: Same as above.

Record source categories: Loyalty checks, inquiries, NTSB field investigation reports, and other reports of NTSB and other Government agencies.

Systems exempted from certain provisions of the act: Security Record. System is partially exempt from the Privacy Act of 1974 (5 U.S.C. 552a(k)) and NTSB regulation 49 CFR Part 802 (40 FR 40134).

NTSB—4

System name: Travel Records of Employees—NTSB.

System location:

National Transportation Safety Board
800 Independence Avenue, SW
Washington, D.C. 20594

Categories of individuals covered by the system: Employees who have traveled pursuant to authorized official business of NTSB.

Categories of records in the system: Travel vouchers, which include, e.g., hotel bills, commercial car rentals, meals, telephones, mileage allowances, and training.

Authority for maintenance of the system: Travel Expense Amendments Act of 1975 (Pub. L. 94-22).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Vouchers are used to determine amounts to be paid to an employee for authorized and official travel for NTSB. Routine use includes, but is not limited to, referral to potential employers, and for security clearance; also, see routine uses in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in system is maintained on an 8 and one half by 10 and one half inch form.

Retrievability: Indexed by name.

Safeguards: Records are maintained in files with locks.

Retention and disposal: Records are manually kept and are maintained by NTSB for one year after payment of allowable travel expenses to employee. Thereafter, they are sent to the Federal Records Center, NARS, where they are retained for at least six years.

System manager(s) and address:

Comptroller
Bureau of Administration
National Transportation Safety Board
800 Independence Avenue, SW
Washington, D.C. 20594

Notification procedure: Address inquiries to Director, Bureau of Administration.

Record access procedures: Procedures are detailed in NTSB regulation 49 CFR Part 802 (41 FR 22357, as amended 41 FR 43154).

Contesting record procedures: Same as above.

Record source categories: Employee submitting vouchers.

NTSB—5

System name: Reports of Employees' Financial Interests and Outside Employment.

System location:

National Transportation Safety Board
800 Independence Avenue, SW
Washington, D.C. 20594

Categories of individuals covered by the system: NTSB employees.

Categories of records in the system: Confidential statements of financial interests and outside employment required of certain employees. The statements set forth the financial interests of the employees and members of their immediate families and specify the employment of the members of the immediate family or any other employment of the NTSB employees involved.

Authority for maintenance of the system: 5 CFR Part 735 (Federal Personnel Manual), implemented by 49 CFR Part 805.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used by authorized personnel for ascertaining conflicts or apparent conflicts of interest and for recommending appropriate action of NTSB employees. In the event of a violation or potential violation of law, whether civil, criminal, or regulatory, the records may be referred to the appropriate agency. Routine use includes, but is not limited to, referral to potential employers and for security clearance; also, see routine uses in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on 8- by 10-inch forms kept in a manila folder.

Retrievability: Indexed alphabetically by name.

Safeguards: Records are stored in a locked safe.

Retention and disposal: Records are manually kept during employment of the individual and then destroyed.

System manager(s) and address:

Personnel Officer
Director, Bureau of Administration
National Transportation Safety Board
800 Independence Avenue, SW
Washington, D.C. 20594

Notification procedure: Address inquiries to Director, Bureau of Administration.

Record access procedures: Procedures are detailed in NTSB regulation 49 CFR Part 802 (41 FR 22357, as amended 41 FR 43154).

Contesting record procedures: Same as above.

Record source categories: NTSB employees.

NTSB—6

System name: Employee Payroll, Leave, and Attendance Records—NTSB.

System location:

National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Categories of individuals covered by the system: NTSB employees.

Categories of records in the system: Manual files and computer-retrievable data containing payroll-related information covering NTSB employees. Payroll, leave, and attendance records include records or information also maintained in the employees' Personnel Nonpermanent Records and related files kept in accordance with Civil Service Commission regulations and noticed by the Commission in its governmentwide systems of personnel records. Payroll and related information consists of various forms and computer-retrievable data which discloses on a biweekly, year-to-date, and/or annual basis, payroll and leave data for each NTSB employee. This data relates to the rate and amount of pay, leave, hours worked, and leave balances. It also includes tax and retirement deductions, life insurance and health deductions, mailing addresses, and home addresses.

Authority for maintenance of the system: Federal Personnel Manual and Treasury Fiscal Requirements Manual; and Pub. L. 93-633, 88 Stat. 2168 (sec. 303(c)(3) of the Independent Safety Board Act of 1974, 49 U.S.C. 1902).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For preparation of payroll, to fulfill Government payroll recordkeeping and reporting requirements, and to retrieve and supply payroll and leave information as required for NTSB needs. Other routine uses for certain records are specified in the Civil Service Commission notice: "C.S.C.—General Personnel Records (Official Personnel Folder and records related thereto)." Routine use includes, but is not limited to, refer all to potential employers, and for security clearance; also, see routine uses in Prefatory Statements.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Storage for NTSB is maintained by the Federal Highway Administration (FHWA), 400 7th Street, SW., Washington, D.C. 20590.

Retrievability: Time cards are machine-printed, 7 and one half by 3 and one half inch cards (FHWA Form 320A); tapes are standard 2,400-foot IBM tapes.

Safeguards: There are no safeguards for the time cards. The tapes, however, are maintained in the computer center and access is permitted only to certain specified FHWA employees or appropriate employees or contractor agencies.

Retention and disposal: The time cards are maintained in the office for the current and prior year and are thereafter sent to the Federal

Records Center in St. Louis. The tapes are retained, based on the cycle of the particular system. The disposal occurs when the cycle ends. The tapes are kept by employee number, which is a number assigned to the employee on hiring.

System manager(s) and address:

Personnel Officer
Bureau of Administration
National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Notification procedure: Address inquiries to Director, Bureau of Administration.

Record access procedures: Procedures are detailed in NTSB regulation 49 CFR Part 802 (41 FR 22357, as amended at 41 FR 43154).

Contesting record procedures: Same as above.

Record source categories: NTSB employees.

NTSB—7

System name: Equal Employment Opportunity Complaint Records—NTSB.

System location:

National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20595

Categories of individuals covered by the system: Employees of NTSB or job applicants who file complaints of discrimination with NTSB.

Categories of records in the system: Investigative files pertaining to equal employment opportunity complaints and problems.

Authority for maintenance of the system: Executive Order 11478; Pub. L. 92-261; Civil Service Regulations (5 CFR Part 713); Federal Personnel Manual, Chapter 713.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the Equal Employment Opportunity Officer, EEO counselors, investigators, and other agency employees and their representatives where appropriate to resolve discrimination complaints. When appeals are taken, may be reviewed by officials of the Civil Service Commission's Board of Appeals and Review; officers of the courts, and attorneys for the parties; also, see routine uses in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in individual file folders.

Retrievability: Indexed by name of complainants.

Safeguards: Files are located in lockable, metal file cabinets to which access is controlled by an NTSB employee.

Retention and disposal: Files are retained and disposed of in accordance with general records disposal schedules prescribed by the General Services Administration.

System manager(s) and address:

Bureau of Administration
Equal Employment Opportunity Officer
National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Notification procedure: Address inquiries to Director, Bureau of Administration.

Record access procedures: Procedures are detailed in NTSB regulation 49 CFR Part 802 (41 FR 22357, as amended at 41 FR 43154).

Contesting record procedures: Same as above.

Record source categories: Persons filing complaints, their representatives, EEO officials, and persons affected by or having an involvement in the area covered by the complaint.

NTSB—8

System name: Privacy Act Request Records—NTSB.

System location:

National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Categories of individuals covered by the system: Individuals who have requested personal information from the records systems of the Safety Board.

Categories of records in the system: Requests from the individual, and related correspondence and memoranda.

Authority for maintenance of the system: 5 U.S.C. 552a, sec. 2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by NTSB employees to record and efficiently process requests made under the Privacy Act of 1974. Users are each system manager for a record system covered by the Privacy Act, and those employees under his supervision who maintain and control the files for which a request is made under the provisions of the Act; also, see routine uses in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in individual file folders.

Retrievability: Indexed by name of requester.

Safeguards: Files are located in lockable, metal file cabinets to which access is controlled by an NTSB employee assigned such responsibility.

Retention and disposal: Files are retained and disposed of in accordance with general records disposal schedules prescribed by the General Services Administration.

System manager(s) and address:

Director, Bureau of Administration
National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Notification procedure: Address inquiries to Director, Bureau of Administration.

Record access procedures: Procedures are detailed in NTSB regulations 49 CFR Part 802 (41 FR 22357, as amended 41 FR 43154).

Contesting record procedures: Same as above.

Record source categories: Individuals requesting access to records and employees processing such requests.

NTSB—9

System name: Employee Locator Cards—NTSB.

System location:

National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Categories of individuals covered by the system: All employees of NTSB.

Categories of records in the system: Employee names, office locations and telephone extensions, home addresses and telephone numbers, and names of persons and telephone numbers used for notification in the event of emergency.

Authority for maintenance of the system: Pub. L. 93-633 and Title 5 U.S.C 552a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Operations and Facilities Division to provide information to the public by telephone concerning office location and office telephone extension of NTSB employees and to provide information to supervisors and other management officials of employees' home telephones or addresses in the event of official or personal emergencies. Routine use includes, but is not limited to, referral to potential employers, and for security clearance; also, see routine uses in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on cards.

Retrievability: Filed alphabetically by employees last name.

Safeguards: Records are maintained in lockable, metal file cabinets to which access is controlled by an NTSB employee.

Retention and disposal: Files are destroyed when an individual's employment terminates.

System manager(s) and address:

Office Services Manager
Operations Facilities Division
Bureau of Administration
National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Notification procedure: Address inquiries to Director, Bureau of Administration.

Record access procedures: Procedures are detailed in NTSB regulations 49 CFR Part 802 (41 FR 22357, as amended at 41 FR 43154).

Contesting record procedures: Same as above.

Record source categories: NTSB employees whose names appear in the records system.

NTSB—10

System name: Disciplinary Action, Adverse Action, Grievance and Appeal Files—NTSB.

System location:

Office of Personnel
National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Categories of individuals covered by the system: Employees against whom disciplinary or adverse actions are taken by NTSB or who appeal such actions or file grievances.

Categories of records in the system: Case files showing all pertinent records relating to employee disciplinary actions, adverse actions, grievances, and appeals.

Authority for maintenance of the system: 5 U.S.C. 7501, 7511, 7512, 7521, 7531, 7533, and 7701, as implemented by 5 CFR Parts 752, 771, and 772.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide an official file on actions cited above for use of agency, concerned employees and their representatives, and appelate bodies in connection with determination of disciplinary actions, adverse actions, grievances, and appeals before the NTSB and the Civil Service Commission. Routine uses include, but are not limited to, referral to potential employers, and for security clearance; also, see routine uses in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in individual file folders indexed by name of employee against whom action is proposed or taken, or by whom appeal is filed.

Retrievability: Filed alphabetically by last name of employee.

Safeguards: Files are located in lockable, metal file cabinets to which access is controlled by an NTSB employee.

Retention and disposal: Files are retained and disposed of in accordance with general records disposal schedules prescribed by the General Services Administration.

System manager(s) and address:

Personnel Officer
Bureau of Administration
National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Notification procedure: Address inquiries to Director, Bureau of Administration.

Record access procedures: Procedures are detailed in NTSB regulations 49 CFR Part 802 (41 FR 22357, as amended at 41 FR 43154).

Contesting record procedures: Same as above.

Record source categories: Supervisors or management officials initiating or acting on adverse personnel actions against employees and their representatives, personnel investigators, hearings officers or administrative law judges, affected employees and their representatives, and other persons affected by or having an involvement in the action proposed or taken.

NTSB—11

System name: Parking Permit Records—NTSB.

System location:

National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Categories of individuals covered by the system: NTSB employees who have applied for or who been issued parking permits.

Categories of records in the system: Application cards containing information on permit applicant and members of his car pool, if any.

Authority for maintenance of the system: Pub. L. 93-633.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to determine whether or not an employee is entitled to, or possesses, a parking permit. Routine uses include, but are not limited to, referral to potential employers, and for security clearance; also, see routine uses in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on 5 by 10 inch cards.

Retrievability: Indexed by name of permit holder.

Safeguards: Maintained in locked cabinet.

Retention and disposal: Records are maintained while employee holds a parking permit. Record is destroyed when employee no longer has parking permit.

System manager(s) and address:

Office Services Manager
Operations and Facilities Division
Bureau of Administration
National Transportation Safety Board
800 Independence Avenue, SW.
Washington, D.C. 20594

Notification procedure: Address inquiries to Director, Bureau of Administration.

Record access procedures: Procedures are detailed in NTSB regulations 49 CFR Part 802 (41 FR 22357, as amended at 41 FR 43154).

Contesting record procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information provided by employees desiring parking permits.

Title 49-Transportation

Subtitle B-Other Regulations Relating to Transportation

Chapter VII-National Transportation Safety Board

PART 802—RULES IMPLEMENTING THE PRIVACY ACT OF 1974

Subpart A—Applicability and Policy

Sec.
802.1 Purpose and scope.
802.2 Definitions.

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Subpart C—Initial Determinations

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Subpart E—Review of Initial Adverse Determination

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Subpart G—Penalties

802.16 Penalties.

Subpart H—Specific Exemptions

802.20 Security records.

Authority: Privacy Act of 1974, Pub. L. 93-579, 88 Stat. 1896 (5 U.S.C. 552a); Independent Safety Board Act of 1974, Pub. L. 93-633, 88 Stat. 2166 (49 U.S.C. 1901 et seq.); and Freedom of Information Act, Pub. L. 93-502, November 21, 1974, amending 5 U.S.C. 552.

Source: 41 FR 22358, June 3, 1976, unless otherwise noted.

Subpart A—Applicability and Policy

§ 802.1 Purpose and scope.

The purpose of this part is to implement the provisions of 5 U.S.C. 552a with respect to the availability to an individual of records of the National Transportation Safety Board (NTSB) maintained on individuals. NTSB policy encompasses the safeguarding of individual privacy from any misuse of Federal records and the provision of access to individuals to NTSB records concerning them, except where such access is in conflict with the Freedom of Information Act, or other statute.

[41 FR 39758, Sept. 16, 1976]

§ 802.2 Definitions.

In this part:

"Board" means the five Members of the National Transportation Safety Board, or a quorum thereof;

"Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

"National Transportation Safety Board (NTSB)" means the agency set up under the Independent Safety Board Act of 1974;

"Record" means any item, collection, or grouping of information about an individual that is maintained under the control of the NTSB pursuant to Federal law or in connection with the transaction of public business, including, but not limited to, education, financial transactions, medical history, and criminal or employment history, and that contains a name, or an identifying number, symbol, or other identifying particular assigned to an individual, such as a finger or voice imprint or photograph;

"Routine use" means the use of such record for a purpose compatible with the purpose for which it was collected, including, but not limited to, referral to law enforcement agencies of violations of the law and for discovery purposes ordered by a court referral to potential employers, and for security clearance;

"Statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and which is not used wholly or partially in any determination concerning an identifiable individual;

"System Manager" means the agency official who is responsible for the policies and practices of his particular system or systems of record, as specified in the NTSB notices of systems or records; and

"System of records" means a group of any records under the control of the NTSB from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual, whether presently in existence or set up in the future.

Subpart B—Initial Procedures and Requirements

§ 802.5 Procedures for requests pertaining to individual records in a record system.

The NTSB may not disclose any record to any person or other agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains, provided the record under the control of the NTSB is maintained in a system of records from which information is retrieved by the name of the individual or by some identifying number, symbol, or other particular assigned to such individual. Written consent is not required if the disclosure is:

(a) To officers or employees of the NTSB who require the information in the official performance of their duties;

(b) Required under 5 U.S.C. 552, Freedom of Information Act;

(c) For a routine use compatible with the purpose for which it was collected;

(d) To the Bureau of the Census for uses pursuant to Title 13, U.S. Code;

(e) To a recipient who has provided the NTSB with advance adequate assurance that the record will be used solely as a statistical research or reporting record and that it is to be transferred in a form not individually identifiable; or

(f) Pursuant to the order of a court of competent jurisdiction.

§ 802.6 Types of requests and specification of records.

(a) *Types of requests.* An individual may make the following request respecting records about himself maintained by NTSB in any system of records subject to the Act:

(1) Whether information concerning himself is contained in any system of records.

(2) Access to a record concerning himself. Such request may include a request to review the record and/or obtain a copy of all or any portion thereof.

(3) Correction or amendment of a record concerning himself.

(4) Accounting of disclosure to any other person or Government agency of any record concerning himself contained in any system of records controlled by NTSB, except (i) disclosures made pursuant to the FOIA; (ii) disclosures made within the NTSB; (iii) disclosures made to another Government agency or instrumentality for an authorized law enforcement activity pursuant to subsection (b) (7) of the Act; and (iv) disclosures expressly exempted by NTSB from the requirements of

subsection (c)(3) of the Act, pursuant to subsection (k) thereof.

(b) *Specification of records.* All requests for access to records must reasonably describe the system of records and the individual's record within the system of records in sufficient detail to permit identification of the requested record. Specific information regarding the system name, the individual's full name, and other information helpful in identifying the record or records shall be included. Requests for correction or amendment of records shall, in addition, specify the particular record involved, state the nature of the correction or amendment sought, and furnish justification for the correction or amendment.

(c) *Inadequate identification of record.* Requests which do not contain information sufficient to identify the record requested will be returned promptly to the requester, with a notice indicating what information is lacking. Individuals making requests in person will be informed of any deficiancy in the specification of the records at the time the request is made. Individuals making requests in writing will be notified of any such deficiency when their request is acknowledged.

§ 802.7 Requests: How, where, and when presented; verification of identity of individuals making requests; accompanying persons; and procedures for acknowledgment of requests.

(a) *Requests—general.* Requests may be made in person or in writing. Assistance regarding requests or other matters relating to the Act may be obtained by writing to the Director, Bureau of Administration, National Transportation Safety Board, 800 Independence Avenue, SW., Washington, D.C. 20594. The Director, Bureau of Administration, or his designee, on request, will aid an individual in preparing an amendment to the record or to an appeal following denial of a request to amend the record, pursuant to subsection (f)(4) of the Act.

(b) *Written requests.* Written requests shall be made to the Director, Bureau of Administration at the address given above, and shall clearly state on the envelope and on the request itself, "Privacy Act Request," "Privacy Act Statement of Disagreement," "Privacy Act Disclosure Accounting Request," "Appeal from Privacy Act Adverse Determination," or "Privacy Act Correction Request," as the case may be. Actual receipt by the Director, Bureau of Administration, or his designee, shall constitute receipt.

(c) *Requests made in person.* Requests may be made in person during official working hours of the NTSB at the office where the record is located, as listed in the "Notice of Systems of Records" for the system in which the record is contained.

(d) *Verification of identity of requester.* (1) For written requests, the requester's identity must be verified before the release of any record, unless exempted under the FOIA. This may be accomplished by adequate proof of identity in the form of a driver's license or other acceptable item of the same type.

(2) For requests in person, the requester's identity may be established by a single document bearing a photograph (such as a passport or identification badge) or by two items of identification containing name, address, and signature (such as a driver's license or credit card).

(3) Where a request is made for reproduced records which are to be delivered by mail, the request must include a notarized statement verifying the requester's identity.

(e) *Inability to provide requisite documentation of identity.* A requester who cannot provide the necessary documentation of identity may provide a notarized statement, swearing or affirming his identity and the fact that he is aware of the penalties for false statement imposed pursuant to 18 U.S.C. 1001, and subsection (i)(3) of the Act. Where requested, the Director, Bureau of Administration, or his designee, will assist the requester in formulating the necessary document.

(f) *Accompanying persons.* A requester may wish to have a person of his choice accompany him to review the requested record. Prior to the release of the record, the NTSB will require the requester to furnish the Director, Bureau of Administration or his designee, with a written statement authorizing disclosure of the record in the accompanying person's presence.

(g) *Acknowledgment of requests.* Written requests to verify the existence of, to obtain access to, or to correct or amend records about the requester maintained by NTSB in any system of records subject to the Act, shall be acknowledged in writing by the Director, Bureau of Administration, or his designee, within 3 working days after the date of actual receipt of the request by the Director, Bureau of Administration, or his designee. The acknowledgment shall advise the requester of the need for any additional information to process the request. Wherever practicable, the acknowledgment shall notify the individual whether his request has been granted or denied. When a request is made in person, every effort will be made to determine immediately whether the request will be granted. If such decision cannot be made, the request will be processed in the same manner as a written request. Records will be made available for immediate inspection whenever possible.

[41 FR 22358, June 3, 1976, as amended at 41 FR 43154, Sept. 30, 1976]

Subpart C—Initial Determinations

§ 802.8 Disclosure of requested information.

(a) The System Manager may initially determine that the request be granted. If so, the individual making the request shall be notified orally, or in writing, and the notice shall include:

(1) A brief description of the information to be made available;

(2) The time and place where the record may be inspected, or alternatively, the procedure for delivery by mail to the requesting party;

(3) The estimated cost for furnishing copies of the record;

(4) The requirements for verification of identity;

(5) The requirements for authorizing discussion of the record in the presence of an accompanying person; and

(6) Any additional requirements needed to grant access to a specific system of records or record.

(b) Within 10 working days after actual receipt of the request by the Director, Bureau of Administration, or his designee, in appropriate cases, the requester will be informed:

(1) That the request does not reasonably describe the system of records or record sought to permit its identification, and shall set forth the additional information needed to clarify the request; or

(2) That the system of records identified does not include a record retrievable by the requester's name or other identifying particulars.

(c) The System Manager shall advise the requester within 10 working days after actual receipt of the request by the Director, Bureau of Administration, or his designee, that the request for access has been denied, and the reason for the denial, or that the determination has been made to grant the request, either in whole or in part, in which case the relevant information will be provided.

[41 FR 22358, June 3, 1976, as amended at 41 FR 43154, Sept. 30, 1976]

Subpart D—Correction or Amending the Record

§ 802.10 Request for correction or amendment to record.

All requests for correcting or amending records shall be made in writing to the Director, Bureau of Administration, National Transportation Safety Board, 800 Independence Avenue, SW., Washington, D.C. 20594, and shall be deemed received upon actual receipt by the Director, Bureau of Administration. The request shall clearly be marked on the envelope and in the letter with the legend that it is a "Privacy Act Correction Request." The request must reasonably set forth the portion of the record which the individual contends is not accurate, relevant, timely, or complete.

[41 FR 22358, June 3, 1976, as amended at 41 FR 43154, Sept. 30, 1976]

§ 802.11 Agency review of requests for correction or amendment of record.

Within 10 working days after actual receipt of the request by the Director, Bureau of Administration, or his designee, to correct or amend the record, the System Manager shall either make the correction in whole or in part, or inform the individual of the refusal to correct or amend the record as requested, and shall present the reasons for any denials.

[41 FR 22358, June 3, 1976, as amended at 41 FR 43154, Sept. 30, 1976]

§ 802.12 Initial adverse agency determination on correction or amendment.

If the System Manager determines that the record should not be corrected or amended in whole or in part, he will forthwith make such finding in writing, after consulting with the General Counsel, or his designee. The requester shall be notified of the refusal to correct or amend the record. The notification shall be in writing, signed by the System Manager, and shall include—

(a) The reason for the denial;

(b) The name and title or position of each person responsible for the denial of the request;

(c) The appeal procedures for the individual for a review of the denial; and

(d) Notice that the denial from the System Manager is appealable within 30 days from the receipt thereof by the requester to the Board.

The System Manager is allotted 10 working days (or within such extended period as is provided in the section concerning "unusual circumstances" *infra*) to respond to the request for review. If the requester does not receive an answer within such time, the delay shall constitute a denial of the request and shall permit the requester immediately to appeal to the Board, or to a district court.

Subpart E—Review of Initial Adverse Determination

§ 802.14 Review procedure and judicial review.

(a) A requester may appeal from any adverse determination within 30 days after actual receipt of a denial from the System Manager. The appeal must be in writing addressed to the Chairman, National Transportation Safety Board, 800 Independence Avenue, SW., Washington, D.C. 20594, and shall contain a statement on the envelope and in the appeal: "Appeal from Privacy Act Adverse Determination."

(b) The Board shall make a determination with respect to the appeal within 30 working days after the actual receipt of the appeal by the Chairman, except as provided for in "unusual circumstances" infra.

(c) (1) *Review of denial of access.* If the appeal upholds the denial of access to records, the Board shall: Notify the requester in writing, explaining the Board's determination; state that the denial is a final agency action and that judicial review is available in a district court of the United States in the district where the requester resides or has his principal place of business, or where the agency records are located, or in the District of Columbia; and request a filing with the Board of a concise statement enumerating the reasons for the requester's disagreement with the denial, pursuant to subsection (g) of the Act.

(2) *Review of denial of correction or amendment.* If the appeal upholds the denial in whole or in part for correction or amendment of the record, the same notification and judicial review privileges described in paragraph (c)(1) of this section shall apply.

(d) If the denial is reversed on appeal, the Board shall notify the requester in writing of the reversal. The notice shall include a brief statement outlining those portions of the individual's record which were not accurate, relevant, timely, or complete, and corrections of the record which were made, and shall provide the individual with a courtesy copy of the corrected record.

(e) Copies of all appeals and written determinations will be furnished by the System Manager to the Board.

(f) In unusual circumstances, time limits may be extended by not more than 10 working days by written notice to the individual making the request. The notice shall include the reasons for the extension and the date on which a determination is expected to be forthcoming. "Unusual circumstances" as used in this section shall include circumstances where a search and collection of the requested records from field offices or other establishments are required, cases where a voluminous amount of data is involved, and cases where consultations are required with other agencies or with others having a substantial interest in the determination of the request.

(g) *Statements of Disagreement.* (1) Written Statements of Disagreement may be furnished by the individual within 30 working days of the date of actual receipt of the final adverse determination of the Board. They shall be addressed to the Director, Bureau of Administration, National Transportation Safety Board, 800 Independence Avenue, S.W., Washington, D.C. 20594, and shall be clearly marked, both on the statement and on the envelope, "Privacy Act Statement of Disagreement."

(2) The Director, Bureau of Administration, or his designee, shall be responsible for ensuring that:

(i) The Statement of Disagreement is included in the system of records in which the disputed item of information is maintained; and

(ii) The original record is marked to indicate the information disputed, the existence of the Statement of Disagreement, and its location within the relevant system of records.

(3) The Director, Bureau of Administration, or his designee, may, if he deems it appropriate, prepare a concise Statement of Explanation indicating why the requested amendments or corrections were not made. Such Statement of Explanation shall be included in the system of records in the same manner as the Statement of Disagreement. Courtesy copies of the NTSB Statement of Explanation and the notation of dispute, as marked on the original record, shall be furnished to the individual who requested correction or amendment of the record.

(h) *Notices of correction and/or amendment, or dispute.* After a record has been corrected or a Statement of Disagreement has been filed, the Director, Bureau of Administration, or his designee, shall within 30 working days thereof, advise all previous recipients of the affected record as to the correction or the filing of the Statement of Disagreement. The idenity of such recipients shall be determined pursuant to an accounting of disclosures required by the Act or any other accounting previously made. Any disclosure of disputed information occurring after a Statement of Disagreement has been filed shall clearly identify the specific information disputed and shall be accompanied by a copy of the Statement of Disagreement and a copy of any NTSB Statement of Explanation.

(i) *Disclosure to others of records concerning individuals.* Neither the Board nor other NTSB personnel shall disclose any record which is contained in a system of records maintained by NTSB, by any means of communication, including oral communication, to any person, or to another Government agency, except pursuant to a written request by, or with the prior written consent, of the individual to whom the record pertains, unless disclosure of the record is:

(1) To the Board and NTSB personnel who have a need for the record in the performance of their duties;

(2) Required under the FOIA;

(3) For a routine use published in the **Federal Register**;

(4) To the Bureau of the Census for purposes of planning or carrying out a census or survey, or related activity pursuant to the provisions of Title 13 of the United States Code;

(5) To a recipient who has provided NTSB with adequate advance written assurance that the record will be used solely as a statistical research or reporting record and that the record is transferred in a form that is not identifiable with respect to individuals;[1]

(6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the U.S. Government, or to the Administrator of the General Services Administration, or his designee, for evaluation to determine whether the record has such value;

(7) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to NTSB specifying the particular portion of the record desired and the law enforcement activity for which the record is sought;[2]

(8) To any person upon a showing of compelling circumstances affecting the health or safety of any individual;

(9) To either House of Congress or, to the extent of matter within its jurisdiction, to any committee, or subcommittee thereof, or to any joint committee of the Congress, or to any subcommittee of such joint committee;

(10) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(11) Pursuant to the order of a court of competent jurisdiction.

(j) *Notices of subpoenas.* When records concerning an individual are subpoenaed or otherwise disclosed pursuant to court order, the NTSB officer or employee served with the subpoena shall be responsible for assuring that the individual is notified of the disclosure within 5 days after such subpoena or other order becomes a matter of public record. The notice shall be mailed to the last known address of the individual and shall contain the following information: (1) The date the subpoena is returnable; (2) the court in which it is returnable; (3) the name and number of the case or proceeding; and (4) the nature of the information sought.

(k) *Notices of emergency disclosures.* When information concerning an individual has been disclosed to any person under compelling circumstances affecting health or safety, the NTSB officer or employee who made or authorized the disclosure shall notify the individual at his last known address within 5 days of the disclosure. The notice shall contain the following information: (1) The nature of the information disclosed; (2) the person or agency to whom the information was disclosed; (3) the date of the disclosure; and (4) the compelling circumstances justifying the disclosure.

[41 FR 22358, June 3, 1976, as amended at 41 FR 43154, Sept. 30, 1976]

Subpart F—Fees

§ 802.15 Fees.

No fees shall be charged for providing the first copy of a record, or any portion thereof, to individuals to whom the record pertains. The fee schedule for other records is the same as that appearing in the Appendix to Part 801 of this chapter, implementing the FOIA, as amended from time to time, except that the cost of any search for and review of the record shall not be included in any fee under this Act, pursuant to subsection (f)(5) of the Act.

Subpart G—Penalties

§ 802.18 Penalties.

(a) An individual may bring a civil action against the NTSB to correct or amend the record, or where there is a refusal to comply with an individual request or failure to maintain any record with accuracy, relevance, timeliness and completeness, so as to guarantee fairness, or failure to comply with any other provision of 5 U.S.C. 552a. The court may order the correction or amendment. It may assess against the United States reasonable attorney fees and other costs, or may enjoin the NTSB from withholding the records and order the production to the complainant, and it may assess attorney fees and costs.

(b) Where it is determined that the action was willful or intentional with respect to 5 U.S.C. 552(g)(1) (c) or (d), the United States shall be liable for the actual damages sustained, but in no case less than the sum of $1,000 and the costs of the action with attorney fees.

(c) Criminal penalties may be imposed against an officer or employee of the NTSB who fully discloses material which he knows is prohibited from disclosure, or who willfully maintains a system of records without meeting the notice requirements, or who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretenses. These offenses shall be misdemeanors with a fine not to exceed $5,000.

Subpart H—Specific Exemptions

§ 802.20 Security Records.

Pursuant to, and limited by, 5 U.S.C. 552a(k)(5), the NTSB's system of records, which contains the Security Records of NTSB employees, prospective employees, and potential contractors, shall be exempt from disclosure of the material and the NTSB's handling thereof under subsections (d), (e)(1) and (e)(4) (H) and (I) of 5 U.S.C. 552a.

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[1] The advance written statement of assurance shall state the purpose for which the record is requested and certify that it will be used only for statistical purposes. Prior to release under this paragraph, the record shall be stripped of all personally identifiable information and reviewed to ensure that the identity of any individual cannot reasonably be determined by combining two or more statistical records.

[2] A record may be disclosed to a law enforcement agency at the initiative of NTSB if criminal conduct is suspected, provided that such disclosure has been established as a routine use by publication in the **Federal Register**, and the instance of misconduct is directly related to the purpose for which the record is maintained.

NAVAJO AND HOPI INDIAN RELOCATION COMMISSION

System name: Navajo and Hopi Relocation Commission Records System.

System location: Navajo and Hopi Indian Relocation Commission, 2717 N. Steves Boulevard, Building A, Flagstaff, Arizona 86001.

Categories of individuals covered by the system: (1) Those members of the Navajo Tribe residing in that portion of the Joint Use Area of Arizona which has been partitioned to the Hopi Tribe.

(2) Those members of the Hopi Tribe residing in that portion of the Joint Use Area of Arizona which has been partitioned to the Navajo Tribe.

(3) Persons who apply to the Commission for relocation benefits.

(4) Persons who apply to the Commission for Life Estate Leases.

Categories of records in the system: (1) Relocation applications

(2) Census information

(3) Inventories of livestock and property improvements,

(4) Appraisal of improvements, and

(5) Life estate applications.

Authority for maintenance of the system: 25 U.S.C. 640(d), 25 U.S.C. 361, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary uses of the records are to determine: (a) Those individuals who are entitled to relocation benefits, (b) the amount of benefits to which individuals are entitled, (c) where relocations may occur, and (d) those individuals who are eligible for Life Estate Leases and the location of such Life Estate Lease parcels. Disclosures outside the Navajo and Hopi Indian Relocation Commission may be made to: (a) Tribal Governments for use in adjudicating disputes and in determining the configuration of Life Estate Lease parcels, (b) to United States Courts concerned with the partition of the Joint Use Area, (c) to the Department of Justice when related to litigation or contemplated litigation, (d) to appropriate Federal, State, Local, or Foreign Agency responsible for investigating or prosecuting violations or for enforcing or implementing a statute, rule, regulation, order, or license of information indicating a violation or potential violation of a statute, regulation, rule, order, or license, (e) reports to the United States Congress, and (f) publication of rosters to assist potential relocatees in determining their application and eligibility status.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual: Letter files.

Retrievability: Indexed by name of individual, retrieved by manual search.

Safeguards: In accordance with 43 CFR 2.51.

Retention and disposal: Records will be disposed of when the Commission is discharged pursuant to 25 U.S.C. 640d-11(i).

System manager(s) and address: Executive Director, Navajo and Hopi Indian Relocation Commission, 2717 North Steves Boulevard, Building A, Flagstaff, Arizona 86001.

Notification procedure: To determine whether records in this system are maintained on an individual, the individual must contact the System Manager.

Record access procedures: For access to an individual's records, the individual must contact the System Manager and describe as specifically as possible the records sought and, if copies are desired, indicate the maximum copy fee the individual is willing to pay.

Contesting record procedures: A petition for amendment shall be addressed to the System Manager and must meet the requirements of 43 CFR 2.71.

Record source categories: Information is obtained from:

(1) Information obtained from individuals who apply for relocation benefits.

(2) Information obtained from other United States governmental agencies concerning individuals who may or may not be entitled to relocation benefits.

(3) Information obtained from surveys taken on the Joint Use Area.

(4) Information obtained from the Navajo Tribe or the Hopi Tribe concerning its members entitled to relocation benefits.

(5) Information obtained from Chapter Officials of the Navajo Tribe concerning members of their chapter who may be entitled to relocation benefits.

NUCLEAR REGULATORY COMMISSION

NRC Systems of Records

1. [Revoked.]
2. Biographical Information Records—NRC.
3. [Revoked.]
4. Conflict of Interest Files—NRC.
5. Contracts Records Files—NRC.
6. [Revoked.]
7. [Revoked.]
8. Employee Appeals, Grievances, and Complaints Records—NRC.
9. Equal Employment Opportunity Records Files—NRC.
10. Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Records—NRC.
11. General Personnel Records (Official Personnel Folder and Related Records)—NRC.
12. Government Motor Vehicle Operators License Files—NRC.
13. Incentive Awards Files—NRC.
14. Employee Alcoholism and Drug Abuse Program Files—NRC.
15. National Standards Committee Membership Files—NRC.
16. Facility Operator Licensees Record Files (10 CFR Part 55)—NRC.
17. Occupational Injuries and Illness Records—NRC.
18. Investigative Offices Index, Files, and Associated Records—NRC.
19. Official Personnel Training Records Files—NRC.
20. Official Travel Records—NRC.
21. Payroll Accounting Records—NRC.
22. Personnel Performance Appraisals—NRC.
23. [Revoked.]
24. Property and Supply System (PASS)—NRC.
25. Oral History Program—NRC.
26. [Revoked.]
27. Radiation Exposure Information and Reports System (REIRS) Files—NRC.
28. Recruiting, Examining, and Placement Records—NRC.
29. Document Control System—NRC.
30. Manpower System (MPS) Records—NRC.
31. Correspondence and Records Branch, Office of the Secretary—NRC.
32. [Revoked.]
33. Special Inquiry File—NRC.
34. Advisory Committee on Reactor Safeguards (ACRS) Correspondence Index and Associated Records—NRC.
35. Drug Testing Program Records-NRC.
36. Employee Locator Records Files—NRC.
37. Information Security Files and Associated Records—NRC.
38. Mailing Lists—NRC.
39. Personnel Security Files and Associated Records—NRC.
40. Facility Security Support Files and Associated Records—NRC.

These systems of records are those systems maintained by the Nuclear Regulatory Commission (NRC) which contain personal information about individuals, and from which personal information can be retrieved by reference to an individual identifier.

The notice for each system of records states the name and location of the record system, the authority for and manner of its operation, the categories of individuals that it covers, the types of records that it contains, the sources of information in those records, and the proposed "routine uses" of each system of records. Each notice also includes the business address of the NRC official who will inform interested persons of the procedures whereby they may gain access to and correct records pertaining to themselves.

One of the purposes of the Privacy Act, as stated in section 2(b)(4), is to provide certain safeguards for an individual against an invasion of personal privacy by requiring Federal agencies to "* * * disseminate any record of identifiable personal information in a manner that assures that such action is for a necessary and lawful purpose, that information is current and accurate for its intended use, and that adequate safeguards are provided to prevent misuse of such information." The NRC intends to follow these principles in transferring information to another agency or individual as a "routine use," including assurance that the information is relevant for the purposes for which it is transferred.

PREFATORY STATEMENT OF GENERAL ROUTINE USES

The following routine uses apply to each system of records notice set forth below which specifically references this Prefatory Statement.

1. In the event that a system of records maintained by the NRC to carry out its functions indicates a violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rules, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

2. A record from this system of records may be disclosed, as a routine use, to a Federal, State, local, or foreign agency, if necessary, to obtain information relevant to an NRC decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

3. A record from this system of records may be disclosed, as a routine use, to a Federal, State, local, or foreign agency in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

4. A record from this system of records may be disclosed, as a routine use, in the course of discovery and in presenting evidence to a court, magistrate, administrative tribunal, or grand jury, including disclosures to opposing counsel in the course of settlement negotiations.

5. Disclosure may be made, as a routine use, to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

6. A record from this system of records may be disclosed, as a routine use, to an NRC contractor on a "need-to-know" basis for a purpose within the scope of the pertinent NRC contract. Such access will be granted to an NRC contractor by a system manager only after satisfactory justification has been provided to the system manager.

NRC-1—[Revoked]

NRC-2

System name:

Biographical Information Records—NRC.

System location:

Office of Public Affairs, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

Categories of individuals covered by the system:

Commissioners, members of the Atomic Safety and Licensing Board and Appeal Board Panels, and senior NRC staff members.

Categories of records in the system:

These records contain information relating to education and training, employment history, and other general biographical data relating to the Commissioners, members of the Atomic Safety and Licensing Board and Appeal Board Panels, and senior NRC staff members.

Authority for maintenance of the system:

42 U.S.C. 2241, 5841, 5843(a), 5844(a), 5845(a), and 5849 (1976).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. To provide information to the press;

b. To provide information to other persons and agencies requesting this information; and

c. For the routine uses specified in paragraph numbers 5 and 6 of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records are maintained in file folders.

Retrievability:

Records are accessed by name.

Safeguards:

Maintained in unlocked file cabinets. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Retained until updated or association with NRC is discontinued, then destroyed through regular trash disposal system.

System manager(s) and address:

Director, Office of Public Affairs, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office Of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information in this system of records is provided by each individual and approved for use by the individual involved.

NRC-3—[Revoked]

NRC-4

System name:

Conflict of Interest Files—NRC.

System location:

Primary system—Office of the General Counsel, NRC, 1717 H Street, NW, Washington, DC.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

Categories of individuals covered by the system:

Persons who are employees, special employees, and consultants of NRC.

Categories of records in the system:

These records contain information relating to:

a. General biographical data (i.e., name, birth date, home address, position title, home and business telephone numbers, citizenship, educational history, employment history, professional society memberships, honors, fellowships received, publications, licenses, and special qualifications);

b. Financial status (i.e., nature of financial interests and in whose name held, creditors, character of indebtedness, interest in real property, monthly U.S. Civil Service Annuity, and status as Uniformed Services Retired Officer);

c. Certifications by employees that they and members of their families are in compliance with the Commission's stock ownership regulations;

d. Requests for approval of outside employment by NRC employees and NRC responses thereto;

e. Determination (i.e., no conflict or apparent conflict of interest, questions requiring resolution, steps taken toward resolution); and

f. Information pertaining to appointment (i.e., proposed period of NRC service, estimated number of days of NRC employment during period of service, proposed pay, clearance status, description of services to be performed and explanation of need for the services, justification for proposed pay, description of expenses to be reimbursed and dollar limitation, and description of government-owned property to be in possession of appointee).

Authority for maintenance of the system:

a. 18 U.S.C. 201 (1976);

b. Executive Order 11222, May 8, 1965;

c. 10 CFR 0.735-29; 10 CFR 0.735-40.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. To provide the Department of Justice, Office of Personnel Management, and/or Merit Systems Protection Board with information concerning an employee in instances where this office has reason to believe a Federal law may have been violated or where this office desires the advice of the Department, Office, or Board concerning potential violations of Federal law; and

b. For any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records are maintained in file folders.

Retrievability:

Records are accessed by name.

Safeguards:

Maintained in locked file cabinets.

Retention and disposal:

Retained in office file for 2 years after employee leaves position in which statement is required, or for 2 years after separation, whichever is earlier, then forwarded to the Federal Records Center in Suitland, Maryland.

System manager(s) and address:

General Counsel, Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information in this system of records either comes from the individual to whom it applies, or is derived from information he or she supplied, or comes from the office to which the individual is to be assigned.

NRC-5

System name:

Contracts Records Files—NRC.

System location:

Primary system—Division of Contracts, NRC, 4550 Montgomery Avenue, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

Categories of individuals covered by the system:

Persons who are employed as NRC consultants or contractors.

Categories of records in the system:

These records contain personal information (such as technical qualifications, education, rates of pay, employment history) of contractors and their employees, and other contracting records.

Authority for maintenance of the system:

42 U.S.C. 2051, 2201, and 5845 (1976).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. To provide information to the Department of Health and Human Services, Defense Contract Audit Agency, General Accounting Office, and other Federal agencies for audits and reviews; and

b. For any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Accessed by contract number and purchase order number; cross-referenced with the name of the consultant, contractor, or vendor.

Safeguards:

Maintained in unlocked conserver files. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Contracts greater than 10,000 dollars are destroyed 6 years and 3 months after final payment; 10,000 dollars or less—3 years after final payment. Records are destroyed through regular trash disposal system, except for confidential business (proprietary) information which is destroyed by shredding.

System manager(s) and address:

Director, Division of Contracts, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure." Some information was received in confidence and will not be disclosed to the extent that disclosure would reveal confidential business (proprietary) information.

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information in this system of records comes from the contractor or potential contractor.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k) (1) and (5), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). The exemption rule is contained in 10 CFR 9.95 of the NRC regulations.

NRC-6—[Revoked]

NRC-7—[Revoked]

NRC-8

System name:

Employee Appeals, Grievances, and Complaints Records—NRC.

System location:

Primary system—Division of Organization and Personnel, Office of Administration, NRC, 8120 Woodmont Avenue, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

Categories of individuals covered by the system:

Applicants for NRC employment, current and former NRC employees, and annuitants who have filed complaints or initiated grievance or appeal proceedings as a result of a determination made by the NRC, Office of Personnel Management and/or Merit Systems Protection Board, or a Board or other entity established to adjudicate such grievances and appeals.

Categories of records in the system:

Includes all documents related to grievances, arbitrations, negative determinations regarding within-grade salary increases, and exit interviews. It contains information relating to determinations affecting individuals made by the NRC or Office of Personnel Management and/or Merit Systems Protection Board. The records consist of the initial appeal or complaint, letters or notices to the individual, record of hearings when conducted, materials placed into the record to support the decision or determination, affidavits or statements, testimony of witnesses, investigative reports, instructions to an NRC office or division concerning action to be taken to comply with decisions, and related correspondence, opinions, and recommendations.

Authority for maintenance of the system:

42 U.S.C. 2201(d) (1976).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. To furnish information to the Office of Personnel Management and/or Merit Systems Protection Board pursuant to applicable requirements related to grievances and appeals;

b. To provide appropriate data to union representatives and third parties (that may include the Federal Services Impasses Panel and Federal Labor Relations Authority) in connection with grievances, arbitration actions, and appeals; and

c. For any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, binders, and index cards.

Retrievability:

These records are indexed by the names of the individuals on whom they are maintained.

Safeguards:

Maintained in locked file cabinets. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Retained 3 years after case is closed, then destroyed by shredding.

System manager(s) and address:

Chief, Labor Management and Employee Relations Branch, Division of Organization and Personnel, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure." Some information was received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source.

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Individuals to whom the record pertains, NRC, Office of Personnel Management and/or Merit Systems Protection Board officials; affidavits or statements from employees, union representatives, or other persons; testimony of witnesses; official documents relating to the appeal, grievance, or complaint; Official Personnel Folder; and other Federal agencies.

NRC-9

System name:

Equal Employment Opportunity Records Files—NRC.

System location:

Office of Small and Disadvantaged Business Utilization/Civil Rights, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

Categories of individuals covered by the system:

Applicants for NRC employment and current and former NRC employees who have filed a complaint of discrimination with the Office of Small and Disadvantaged Business Utilization/Civil Rights.

Categories of records in the system:

This system of records contains copies of written reports by counselors; the investigative file; documentation of withdrawn, cancelled, rejected, and/or adjusted discrimination complaints; complainant's name, title, and grade; kind of discrimination alleged; description of action, decision, or condition giving rise to the complaint; description of remedial action; description of disciplinary action, if any; copy of the letter of proposed disposition of the complaint and right to a hearing; and record of appeals examiner's finding, analysis, and recommended decision.

Authority for maintenance of the system:

a. 42 U.S.C. 2000e and 5891 (1976);

b. Executive Orders 11246, September 24, 1965; 11375, October 13, 1967; and 11478, August 8, 1969.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. To furnish information related to EEO matters to the Equal Employment Opportunity Commission and the Office of Personnel Management and/or Merit Systems Protection Board in accordance with applicable requirements; and

b. For any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained in file folders, binders, index cards, and on computer tapes (minority code only).

Retrievability:

Accessed by name.

Safeguards:

Maintained in locked file cabinets. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Retained indefinitely.

System manager(s) and address:

Director, Office of Small and Disadvantaged Business Utilization/Civil Rights, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure." Some information was received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source.

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Individual to whom the record pertains, counselors, NRC, the Office of Equal Employment Opportunity Commission, the Office of Personnel Management and/or Merit Systems Protection Board officials, affidavits or statements from employees, testimony of witnesses, and official documents relating to the complaints.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(5), the Commission has exempted portions of this system of records from 5 U.S.C. 552(c)(3), (d), (e)(4)(G), (H), and (I), and (f). The exemption rule is contained in 10 CFR 9.95 of the NRC regulations.

NRC-10

System name:

Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Records—NRC.

System location:

Primary system—Division of Rules and Records, Office of Administration, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2; and at the Contractor Site, 7101 Wisconsin Avenue, Suite 1400, Bethesda, Maryland.

Categories of individuals covered by the system:

Persons who have made FOIA or PA requests for NRC records.

Categories of records in the system:

This system contains copies of the letters from requesters, the NRC response letters, and related documents.

Authority for maintenance of the system:

5 U.S.C. 552 and 552a (1976); 42 U.S.C. 2201 (1976).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. If an appeal or court suit is filed with respect to any records denied;

b. For preparation of annual reports required by 5 U.S.C. 552 and 5 U.S.C. 552a; and

c. For any of the routine uses specified in the Prefatory Statement. Most of the FOIA records are placed in the NRC Public Document Room and made available to the public.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and on microfiche.

Retrievability:

Accessed by chronologically assigned number and individual's name.

Safeguards:

Privacy Act records are maintained in locked file cabinets. Access to and use of these records are limited to those persons whose official duties require such access. Copies of most of the FOIA records are publicly available in the NRC Public Document Room.

Retention and disposal:

PA records are retained in hard copy for 2 years from date of reply if request is granted, 5 years if denied, and 4 years from date of appeal, if appealed. The FOIA official files are retained on microfiche and may be destroyed after six years. Except for classified, proprietary, and other sensitive information which is destroyed by shredding, records are disposed of through regular trash disposal system.

System manager(s) and address:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Requests are made by individuals or other requesters. The response to the request is based upon information contained in NRC records.

NRC-11

System name:

General Personnel Records (Official Personnel Folder and Related Records)—NRC.

System location:

Primary system—For Headquarters and Region V personnel, Division of Organization and Personnel, Office of Administration, NRC, 8120 Woodmont Avenue, Bethesda, Maryland.

For the remaining Regional personnel, at Regional Offices I - IV listed in Addendum I, Part 2.

Duplicate systems—Duplicate systems exist, in whole or in part at the locations listed in Addendum I, Parts 1 and 2, and at the National Institutes of Health Computer Facility, Bethesda, Maryland. The duplicate systems maintained in a particular office, division, or branch may contain information of specific applicability to employees in that organization in addition to that information contained in the primary system.

Categories of individuals covered by the system:

Current NRC employees and those formerly employed by the NRC (and terminated through death, resignation, retirement, or separation).

Categories of records in the system:

These records contain Personal Qualifications Statement (SF-171) and related documents such as information about an individual's birth date, social security account number, veteran preference status,tenure, physical handicaps, past and present salaries, grades, position titles, training, test performances, minority group designator, life insurance, health benefits, beneficiaries, academic letters of recommendation, probationary period appraisals, and awards. This system also contains notification of personnel action, (SF-50) and documents supporting the action taken, letters of commendation and reprimand, documentation of charges and decisions on charges, medical records related to initial appointment, notices of reductions-in-force, and locator files. Some duplicate records may contain office-specific applications, personnel qualification statements (SF-171), resumes and conflict of interest correspondence. and other related personnel records in addition to those contained in the primary system.

Authority for maintenance of the system:

a. 5 U.S.C. 7901; 21 U.S.C. 1180; and 42 U.S.C. 2201(d) and 4581 (1976);

b. Executive Order 10581, September 15, 1954.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. By the Office of Personnel Management and/or Merit Systems Protection Board for making a decision when an NRC employee or former NRC employee questions the validity of a specific document in an individual's record;

b. To provide information to a prospective employer of a Government employee. Upon transfer of the employee to another Federal agency, the information is transferred to such agency;

c. To update the Office of Personnel Management systems concerning the Central Personnel Data File (CPDF), the Executive Inventory File, and security investigations index hires, and to update adverse actions and terminations records of the Merit Systems Protection Board;

d. To provide statistical reports to Congress, agencies, and the public on characteristics of the Federal work force;

e. To provide information to the Office of Personnel Management and/or Merit Systems Protection Board for review and audit purposes;

f. To provide members of the public with the names, position titles, grades, salaries, appointments (temporary or permanent), and duty stations of employees;

g. For medical records, to provide information to the Public Health Service in connection with Health Maintenance Examinations and to other Federal agencies responsible for Federal benefit programs administered by the Department of Labor (Office of Workmen's Compensation Programs) and the Office of Personnel Management; and

h. For any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, magnetic tape, disk, punched cards, and microfilm.

Retrievability:

Records are indexed by any combination of name, birth date, social security account number, or identification number.

Safeguards:

Official Personnel Folders are maintained in lockable cabinets and related documents may be in unlocked file cabinets and electromechanical file organizer. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

The Official Personnel Folder is sent to the next Federal employing office if the employee transfers, or to the National Personnel Records Center within 30 days of the date of the employee's separation from the Federal service. Some records, such as letters of reprimand, indebtedness, and vouchers, are maintained for 2 years, or destroyed by shredding when an individual resigns, transfers, or is separated from the Federal service.

Cooperative Education Program documentation other than that in the Official Personnel Folder is retained until the employee leaves the program. SF-7, "Service Record Card," is retained indefinitely after separation or transfer.

System manager(s) and address:

For Cooperative Education Program employees—Chief, Special Employment Programs Section, Staffing and Position Evaluation Branch, Division of Organization and Personnel, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

For all others—Chief, Staffing Section, Staffing and Position Evaluation Branch, Division of Organization and Personnel, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure." Some information was received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source. Testing material may not be disclosed to the extent that disclosure would compromise the testing process.

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information in this system of records comes from the individual to whom it applies; is derived from information supplied by that individual; or is provided by agency officials, other Federal agencies, universities, or persons, including references, private and Federal physicians, and medical institutions.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(5) and (6), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). The exemption rule is contained in 10 CFR 9.95 of the NRC regulations.

NRC-12

System name:

Government Motor Vehicle Operators License Files-NRC.

System location:

Primary system—Building and Operations Support Branch, Division of Facilities and Operations Support, Office of Administration, NRC, 8120 Woodmont Avenue, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole, or in part, at the locations listed in Addendum I, Part 2.

Categories of individuals covered by the system:

NRC Headquarters and Regional Office employees licensed to drive government vehicles.

Categories of records in the system:

These records contain identifying data on individuals including, but not limited to, name, social security account number, hair color, and sex.

Authority for maintenance of the system:

a. 40 U.S.C. 491 (1976);

b. Executive Order 10579, December 1, 1954.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used for any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on index cards and on paper in file folders.

Retrievability:

Indexed alphabetically by employee name.

Safeguards:

Maintained in locked file cabinets under control of supervisors. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Retained for 3 years or until cancellation of individual license, whichever comes first, then destroyed through regular trash disposal system.

System manager(s) and address:

Chief, Building and Operations Branch, Division of Facilities and Operations Support, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Record source categories:

Individuals on whom the record is maintained and medical examiners.

NRC-13

System name:

Incentive Awards Files—NRC.

System location:

Primary system—Division of Organization and Personnel, Office of Administration, NRC, 8120 Woodmont Avenue, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

Categories of individuals covered by the system:

NRC employees who merit special recognition for achievements either within or outside the employee's job responsibilities and for length of service to the Government. Awards include both NRC awards and awards of other agencies and organizations for which NRC employees are eligible.

Categories of records in the system:

This system of records contains employee's name, title, grade, and salary; justification to support recommendation and authorization for cash award; actions by approving officials; record of individuals receiving awards; suggestions and evaluations of suggestions; citation to be used; and related documents.

Authority for maintenance of the system:

5 U.S.C. 4501-4506, 5336 (1976).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. By the Office of Personnel Management and/or Merit Systems Protection Board to process and approve nominations or awards;

b. By the Office of the Attorney General and the President of the United States in reviewing recommended awards;

c. To make reports to the Office of Personnel Management and/or Merit Systems Protection Board;

d. By other Government agencies to recommend whether suggestions should be adopted in instances where the suggestion made by an NRC employee affects the functions or responsibilities of the agencies; and

e. For any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on paper in file folders.

Retrievability:

Information is accessed by name.

Safeguards:

Maintained in unlocked file cabinets. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Retained for 2 years, then destroyed by shredding.

System manager(s) and address:

Chief, Labor Management and Employee Relations Branch, Division of Organization and Personnel, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Supervisors of employees, individuals submitting suggestions, Division of Organization and Personnel staff, Office of Personnel Management, Merit Systems Protection Board, other Federal agencies, and Official Personnel Folders.

NRC-14

System name:

Employee Alcoholism and Drug Abuse Program Files-NRC.

System location:

Office of Administration, U.S. Nuclear Regulatory Commission, 7735 Old Georgetown Road, Bethesda, Maryland.

Categories of individuals covered by the system:

NRC employees and/or family members who have been counseled by or referred to the Manager of the Employee Alcoholism and Drug Abuse Program.

Categories of records in the system:

This system contains records of NRC employees and/or their families who have been referred to the Manager of the Employee Alcoholism and Drug Abuse Program for counseling, and the results of any counseling which may have taken place. The records contain information as to the nature of each individual's problem, progress, and subsequent treatment.

Authority for maintenance of the system:

21 U.S.C. 1180(1970); 42 U.S.C. 4561 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. For statistical reporting purposes; and

b. Any disclosure of information pertaining to an individual will be made in compliance with the Confidentiality of Alcohol and Drug Abuse Patient Records regulation, 42 CFR Part 2, as authorized by 21 U.S.C. 1175 and 42 U.S.C. 4582, as amended.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on paper in file folders.

Retrievability:

Information accessed by name of the individual counseled.

Safeguards:

Files are maintained in a safe under the immediate control of the Manager of the Employee Alcoholism and Drug Abuse Program.

Retention and disposal:

Retained for 3 years after successful completion of treatment or other termination of contact, then destroyed by shredding.

System manager(s) and address:

Manager, Employee Alcoholism and Drug Abuse Program, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information compiled by the Manager of the Employee Alcoholism and Drug Abuse Program during the course of counseling with an NRC employee and/or members of the employee's family.

NRC-15

System name:

National Standards Committee Membership Files—NRC.

System location:

Primary system—Office of Nuclear Regulatory Research, NRC, 7915 Eastern Avenue, Silver Spring, Maryland.

Duplicate systems—Duplicate systems exist, in whole or in part, at the National Institutes of Health Computer Facility, Bethesda, Maryland.

Categories of individuals covered by the system:

NRC employees who are serving on committees, subcommittees, working groups, etc., that are developing nuclear standards.

Categories of records in the system:

This system is a comprehensive record of NRC personnel on the nuclear standards committees and contains members' names, the names of the committees to which they belong, and the names of the NRC offices in which the members work.

Authority for maintenance of the system:

42 U.S.C. 2201(b) (1976).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. To provide information to persons or agencies requesting this information including, but not limited to, persons using the NRC Public Document Room; and

b. For the routine use specified in paragraph number 5 of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on lists and computer tape and disk.

Retrievability:

Records are indexed by the individual's name, by individual's office or region, and by the committee title.

Safeguards:

Maintained in unlocked file cabinet.

Retention and disposal:

Updated when information is out-of-date. The information is retained until the person is no longer a member of the committee or no longer an NRC employee, whichever occurs first. Computer tape and disk are destroyed by computer deletion, and lists are destroyed through regular trash disposal system.

System manager(s) and address:

Director, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information in this system of records comes from the individual to whom it applies or from his or her supervisor.

NRC-16

System name:

Facility Operator Licensees Record Files (10 CFR Part 55)—NRC.

System location:

Primary system—Appropriate Regional Office at the address listed in Addendum I, Part 2.

Duplicate systems—Duplicate systems exist, in whole or in part, in the Operator Licensing Branch, Division of Human Factors Technology, Office of Nuclear Reactor Regulation, NRC, 4550 Montgomery Avenue, Bethesda, Maryland; and at the National Institutes of Health Computer Facility in Bethesda, Maryland.

Categories of individuals covered by the system:

Individuals licensed pursuant to 10 CFR Part 55, new applicants whose applications are being processed, and individuals whose licenses have expired.

Categories of records in the system:

These records contain information relating to the application for a license, certification of competency, certification of medical history and results of medical examination and related correspondence, operator examination and examination results, and license or denial letter.

Authority for maintenance of the system:

42 U.S.C. 2137 and 2201(i) (1976).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. To determine if the individual meets the requirements of 10 CFR Part 55 to take an examination or to be issued an operator's license;

b. To provide researchers with information for statistical evaluations related to selection, training, and examination of facility operators;

c. To provide for examination and testing material and obtain results from contractors;

d. To provide facility management with sufficient information to enroll the individuals in the licensed operator requalification program; and

e. For any of the routine uses specified in the Prefatory Statement, except paragraph number 3.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on index cards, paper in file folders, microfiche, and computer storage systems.

Retrievability:

Records are accessed by name and docket number.

Safeguards:

Maintained in file cabinets. Computer access requires password. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Reactor Operator Licensees Records:

a. Medical information: Retained for 4 years after the individual's license expires, then destroyed by shredding;

b. Examination and examination results: Retained for 2 years after the issuance of a license or denial letter. A summary report is retained until 4 years after the individual's license expires;

c. Other information: Destroyed by shredding when it becomes 2 years old; and

d. Docket information: Destroyed by shredding 4 years after an individual's latest license expires.

System manager(s) and address:

Appropriate Regional Administrator at the address listed in Addendum I, Part 2.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, or Regional Administrator at the address listed in Addendum I, Part 2.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information in this system comes from the individual applying for a license, the facility manager, a licensed physician, members of the Operator Licensing Branch or Regional operator licensing sections, and contractor personnel.

NRC-17

System name:

Occupational Injuries and Illness Records—NRC.

System location:

Primary system—For Headquarters personnel, Director, Office of Administration, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

For Regional personnel, at each of the Regional Offices listed in Addendum I, Part 2.

Categories of individuals covered by the system:

NRC employees who report an occupational injury or illness.

Categories of records in the system:

These records contain descriptions of injury or illness, treatment, and disposition.

Authority for maintenance of the system:

a. 29 U.S.C. 657(c) (1976);

b. Executive Order 12196, February 1980.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. By the Agency Safety and Health Officer and/or Deputy Director, Office of Administration to prepare periodic statistical reports on employees' health and injury status and health and safety hazards in NRC physical structures, all for transmission to and review by the Department of Labor;

b. For transmittal to the Secretary of Labor or an authorized representative in accordance with duly promulgated regulations;

c. For transmittal to the Office of Personnel Management and/or Merit Systems Protection Board as required to support individual claims; and

d. For any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on paper in file folders.

Retrievability:

Indexed by assigned employee case number or name under report category.

Safeguards:

Maintained in locked file cabinet under visual control of section employees. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Retained for 5 years after date of report, then destroyed by shredding.

System manager(s) and address:

Director, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

NRC Public Health Unit, NRC Headquarters and Regional Office feeder reports, and forms with original information largely supplied by employees concerned.

NRC-18

System name:

Investigative Offices Index, Files, and Associated Records—NRC.

System location:

Part A: Office of Inspector and Auditor, NRC, 4340 East West Highway, Bethesda, Maryland.

Part B: Office of Investigations, NRC, 4340 East West Highway, Bethesda, Maryland.

Duplicate Systems—duplicate system exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

Categories of individuals covered by the system:

Individuals or entities referred to in potential or actual cases and matters of concern to the Investigative Offices and correspondents on subjects directed or referred to the Investigative Offices.

Categories of records in the system:

The system consists of an alphabetical and/or numerical index file bearing individual names and/or identifiers and a numerical index of case numbers. The indices provide access to associated records which are arranged by subject matter, title, or identifying number(s) and/or letter(s). The system incorporates the records of the Investigative Offices' correspondence, cases, matters, memoranda, materials including, but not limited to, audit reports, investigative reports, inspection reports, confidential source information, correspondence to and from the Investigative Offices, memoranda, fiscal data, legal papers, evidence, exhibits, audit data, technical data, investigative data, work papers, and management information data.

Authority for maintenance of the system:

42 U.S.C. 2035(c), 2201(c), and 5841(f) (1976).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. A record in the system of records may be disclosed as a routine use to a Federal, State, local, or foreign agency or to an individual or organization if the disclosure is reasonably necessary to elicit information or to obtain the cooperation of a witness or an informant;

b. A record in the system of records relating to a case or matter falling within the purview of the Investigative Offices that has been referred for audit, inspection, or investigation may be disclosed as a routine use to the referring agency, group, organization, or individual of the status of the case or matter or of any decisions or determinations that have been made;

c. A record in the system of records relating to an individual held in custody pending arraignment, trial, or sentence, or after conviction, may be disclosed as a routine use to a Federal, State, local, or foreign prison, probation, parole, or pardon authority, to any agency or individual concerned with the maintenance, transportation, or release of such an individual;

d. A record in the system of records relating to a case or matter may be disclosed as a routine use to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States;

e. A record in the system of records may be disclosed as a routine use to a Federal, State, local, or foreign law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency;

f. A record in the system of records in the nature of an audit, inspection, or investigation report relating to the integrity and efficiency of the Commission operation and management may be disseminated outside the Commission as part of the Commission's responsibility to inform the Congress and the public about Commission operations; and

g. A record in the system of records may be disclosed for any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information contained in this system is stored manually on index cards and in file jackets and in various ADP storage media.

Retrievability:

Information is retrieved from index cards or indices by the name or identifier of the individual or entity and from the jackets or files by number(s) and/or letter(s) assigned and appearing on the index cards or indices.

Safeguards:

The index is maintained in unlocked file cabinets; and the indices, associated records, discs, tapes, etc., are located in lockable metal filing cabinets, safes, storage rooms, or similar secure facilities. All records are under visual control during duty hours and available only to authorized personnel whose duties require access and a "need to know."

Retention and disposal:

Retained 15 years in NRC storage from the time the case is closed, then destroyed by shredding or erasure (ADP).

System manager(s) and address:

Part A: Director, Office of Inspection and Auditor, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Part B: Director, Office of Investigations, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure." Information classified pursuant to Executive Order 12356 will not be disclosed. Information received in confidence will be maintained pursuant to the Commission's Policy Statement on Confidentiality and NRC Manual Chapter 0517, "Management of Allegations," and will not be disclosed to the extent that disclosure would reveal a confidential source.

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

The information in this system of records is obtained from sources including, but not limited to, NRC officers and employees; Federal, State, local, and foreign agencies; and other persons.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(1), (k)(2), and (k)(6), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). The exemption rule is contained in 10 CFR 9.95 of the NRC regulations.

NRC-19

System name:

Official Personnel Training Records Files—NRC.

System location:

Primary system—Management Development and Training Staff, Office of Administration, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

Categories of individuals covered by the system:

Individuals who have applied for or were selected for either NRC or other Government/ non-Government training courses or programs, including the NRC Senior Executive Service Candidate Development Program.

Categories of records in the system:

These records contain information relating to the individual's educational background, work experience, performance appraisals, and training courses, including applications for training, training requests, authorizations for training, evaluations, and other related personnel information and correspondence.

Authority for maintenance of the system:

a. 5 U.S.C. 4103 (1976), 3396 (October 13, 1978), and 4311 et seq. (1978);

b. Executive Order 11348, April 20, 1967, as amended by Executive Order 12107, December 28, 1978.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be:

a. Extracted from the records and made available to the Office of Personnel Management; other Federal, State, and local Government agencies; and educational institutions for use in training programs related to NRC employees; and

b. Disclosed for the routine uses specified in paragraph numbers 5 and 6 of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Official forms are maintained on paper in file folders for 5 years; data converted to training within Automated Personnel System.

Retrievability:

Information is accessed by name or social security account number.

Safeguards:

Paper is maintained in locked file cabinets. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Paper forms are retained for 5 years, or until no longer needed, then destroyed by shredding. ADP training file is maintained indefinitely for statistical and historical reference.

System manager(s) and address:

Director, Management Development and Training Staff, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information is provided by the individual to whom it applies, the employee's supervisor, and training groups, agencies, or educational institutions and learning activities.

NRC-20

System name:

Official Travel Records–NRC.

System location:

Primary system—Division of Accounting and Finance, Office of the Controller, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

Categories of individuals covered by the system:

NRC employees, prospective NRC employees, consultants, and invitational travelers for NRC programs.

Categories of records in the system:

These records contain Request and Authorization for Official Travel forms and Travel Vouchers.

Authority for maintenance of the system:

a. 5 U.S.C. 5701 (1976); 31 U.S.C. 21, 22, 24, 49, 54, 66a, and 952 (1976);

b. Federal Travel Regulations, Federal Property Management Regulations, 41 CFR Part 101-71.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. For transmittal to the U.S. Treasury for payment;

b. For transmittal to the Department of State or an embassy for passports or visas; and

c. For any of the routine uses specified in the Prefatory Statement.

Disclosures to consumer reporting agency:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosure of information to a consumer reporting agency is not a routine use of records. Disclosures may be made from this system to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966, as amended (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on paper in file folders, on disks, and on magnetic tape.

Retrievability:

Records are accessed by name, social security account number, authorization number, and voucher payment schedule number.

Safeguards:

Maintained in locked file cabinets in same room as users. For ADP records, an identification number, a password, and assigned access to specific programs are required in order to retrieve information.

Retention and disposal:

Retained for 5 years, then destroyed through regular trash disposal system.

System manager(s) and address:

Director, Division of Accounting and Finance, Office of the Controller, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information is provided by the individual, the organizational component approving the travel, outside transportation agents, and rate books for cost information.

NRC-21

System name:

Payroll Accounting Records—NRC.

System location:

Primary system—Division of Accounting and Finance, Office of the Controller, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

Categories of individuals covered by the system:

NRC employees, special Government employees, and consultants.

Categories of records in the system:

Pay, leave, and allowance histories.

Authority for maintenance of the system:

31 U.S.C. 21, 22, 24, 49, 54, 66a, and 952 (1976).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. For transmittal of data to U.S. Treasury to effect issuance of paychecks to employees and distribution of pay according to employee directions for savings bonds, allotments, financial institutions, and other authorized purposes;

b. For reporting tax withholding to Internal Revenue Services and appropriate State and local taxing authorities;

c. For FICA deductions to the Social Security Administration;

d. For dues deductions to labor unions;

e. For withholding for health insurance to the insurance carriers and the Office of Personnel Management;

f. For charity contribution deductions to agents of charitable institutions;

g. For annual W-2 statements to taxing authorities and the individual;

h. For transmittal to the Office of Management and Budget for review of budget requests;

i. For withholding and reporting of retirement, reemployed annuitants, and life insurance information to the Office of Personnel Management;

j. For transmittal of information to State agencies for unemployment purposes; and

k. For any of the routine uses specified in the Prefatory Statement.

Disclosures to a consumer reporting agency:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosure of information to a consumer reporting agency is not considered a routine use of records. Disclosures may be made from this system to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966, as amended (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders, microfiche, magnetic tape, and disks.

Retrievability:

Accessed by name and social security account number.

Safeguards:

File folders, microfiche, tape, and disks, including backup data, are maintained in secured locked rooms after working hours. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

File folders are retained for 3 years after transfer or separation of employee, then destroyed by shredding. ADP information is retained on disks for 1 year, transferred to and retained on magnetic tape for 3 years, then the tape is erased.

System manager(s) and address:

Director, Division of Accounting and Finance, Office of the Controller, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information is provided by the individual and the Office of Personnel.

NRC-22

System name:

Personnel Performance Appraisals-NRC: Part A, GG-18 employees and below, hourly wage employees, scientific and technical schedule employees, and administratively determined rate employees; Part B, Senior Executive Service and equivalent employees.

System location:

Primary system: Part A: For Headquarters and Region V personnel, Division of Organization and Personnel, Office of Administration, NRC, 8120 Woodmont Avenue, Bethesda, Maryland.

Part B: Chairman, Performance Review Board, 7735 Old Georgetown Road, Bethesda, Maryland.

For the remaining Regional personnel, at the Regional Offices I-IV listed in Addendum I, Part 2.

Categories of individuals covered by the system:

NRC employees.

Categories of records in the system:

This system of records contains performance appraisals and other related records.

Authority for maintenance of the system:

5 U.S.C 4301, et seq. and 42 U.S.C. 2201(d) (1976).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used for any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on paper in folders.

Retrievability:

Records are accessed by name.

Safeguards:

Maintained in lockable file cabinets. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Part A: Records are normally retained for 3 years, then destroyed by incineration.

Part B: Retained for 5 years, or until the fifth annual appraisal is completed, whichever is later, then destroyed by incineration.

System manager(s) and address:

Part A: Chief, Staffing Section, Staffing & Position Evaluation Branch, Division of Organization & Personnel, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Part B: Chairman, Performance Review Board, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure" for each part.

Contesting record procedures:

Same as "Notification procedure" for each part.

Record source categories:

Part A: Individual to whom record pertains and employee's supervisors.

Part B: Individual to whom record pertains and employee's supervisors; any documents and sources used to develop critical elements and performance standards for that Senior Executive Service position.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(1) and (5), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d)(e)(1), (e)(4)(G), (H) and (I), and (f). The exemption rule is contained in 10 CFR 9.95 of the NRC regulations.

NRC-23—[Revoked]

NRC-24

System name:

Property and Supply System (PASS)-NRC.

System location:

Property Management Section, Property and Supply Branch, Division of Facilities and Operations Support, Office of Administration, NRC, 8120 Woodmont Avenue, Bethesda, Maryland.

Categories of individuals covered by the system:

NRC employees, consultants, and contractors who have custody of items of personal property, including major items of equipment (e.g., office furnishings, automobiles, etc.) and items of sensitive property (e.g., cameras, portable calculators, and cassette recorders).

Categories of records in the system:

These records contain information about the equipment (type, make, model, serial number, etc.), and information about the custodians of the equipment (social security account number, office, and office location).

Authority for maintenance of the system:

31 U.S.C. 66a(a)(3) (1976) and 40 U.S.C. 483(b) and (c), 487(a) (1976).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. To provide information to maintain inventory of equipment;

b. To provide information for clearances of employees who separate from the NRC; and

c. For any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on NRC forms and magnetic tape systems, with history and audit files.

Retrievability:

Accessed by social security account number, office, and office location.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Retained for 3 years after an individual's responsibility for the assigned equipment terminates, then destroyed by regular trash disposal system or deleted from the data bank.

System manager(s) and address:

Chief, Property and Supply Branch, Division of Facilities and Operations Support, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information in this system of records comes from NRC forms signed by the individuals having custody of the items, or from reports and memoranda received by the Division of Facilities and Operations Support.

NRC-25

System name:

Oral History Program—NRC.

System location:

Office of the Secretary of the Commission, NRC, 1717 H Street, NW, Washington, DC 20555.

Categories of individuals covered by the system:

NRC employees, former employees, and other individuals who volunteer to be interviewed for the purpose of providing information for a history of the nuclear regulatory program.

Categories of records in the system:

Records consist of interviews on magnetic tape and transcribed scripts of the interviews.

Authority for maintenance of the system:

42 U.S.C. 2161b, 541(a) (1976).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. For incorporation in a future publication on the history of the nuclear regulatory program; and

b. To provide information to historians and other researchers.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on magnetic tape and transcripts.

Retrievability:

Information is accessed by the name of the interviewee.

Safeguards:

Maintained in locked file cabinet. Access to and use of these records are limited to those authorized by the Historian or a designee.

Retention and disposal:

Transcripts are retained indefinitely. Tapes are normally retained until they are transcribed; some may be retained indefinitely.

System manager(s) and address:

NRC Historian, Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information in this system of records is obtained from interviews granted on a voluntary basis to the Historian and his or her staff.

NRC-26—[Revoked]

NRC-27

System name:

Radiation Exposure Information Reporting System (REIRS) Files—NRC.

System location:

Primary system—Martin Marietta Energy Systems, Human Resource Systems Department, Radiation Information Systems Section, P.O. Box P, Oak Ridge, Tennessee 37831.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

Categories of individuals covered by the system:

Individuals monitored for radiation exposure while employed by or visiting or temporarily assigned to certain NRC-licensed facilities; individuals who are exposed to radiation or radioactive materials in incidents required to be reported pursuant to 10 CFR 20.403 and 20.405 by all NRC licensees; individuals who may have been exposed to radiation or radioactive materials off-site from a facility, plant installation, or other place of use of licensed materials, or in unrestricted areas, as a result of an incident involving byproduct, source, or special nuclear material; as then required by NAVMED P-5055, Radiation Health Protection Manual, monitored individuals terminating their service with the Navy prior to 1977; and monitored employees of all the registrants of the State of Illinois prior to 1979.

Categories of records in the system:

These records contain information relating to an individual's name, sex, social security account number, birth date, job category, period of employment, place and period date of exposure; name, address, and license number of individual's employer; name and number of licensee reporting the information; radiation doses or estimates of exposure received during this period, type of radiation, part(s) or organ(s) exposed, and nuclide(s) involved. Some reports will indicate whether the individual is a contractor or a utility employee. Between January 1972 and May 1974, the following information was also recorded for individuals overexposed to radiation: Sex, training experience, regular occupation of the exposed individuals; device or method used to determine dose(s); brief statement describing the incident and the causes; corrective actions taken; status of exposed individual (i.e., medical treatment); type, age, and manufacturer of malfunctioning equipment; and cumulative dose prior to incident.

Authority for maintenance of the system:

42 U.S.C. 2073, 2093, 2095, 2111, 2133, 2134, and 2201(o) (1976).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. To provide data to other Federal and State agencies involved in monitoring and/or evaluating radiation exposure received by individuals as enumerated in the paragraph "Categories of individuals covered by the system"; and

b. For any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are computerized and maintained on magnetic tape, maintained in log books, and filed as either a computer printout or original paper document.

Retrievability:

Records are accessed by individual name, social security account number, and by licensee name or number.

Safeguards:

Information maintained at the Computing Technology Center is accessible only to the Office of Nuclear Regulatory Research. Reports kept by the Office of Nuclear Regulatory Research are in file cabinets and bookcases in a secured building. A log is maintained of both telephone and written requests for information.

Retention and disposal:

a. Original paper document—retained 2 years, then destroyed by shredding;

b. Magnetic tape—retained permanently at Computing Technology Center;

c. Log books—retained indefinitely, no names; and

d. Computer printouts—periodically updated, then destroyed through regular trash disposal system.

System manager(s) and address:

Director, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information in this system of records either comes from the monitored worker, visitors, worker's employer, or the person in charge of the facility to which the worker has been assigned.

NRC-28

System name:

Recruiting, Examining, and Placement Records—NRC.

System location:

Primary system—For Headquarters personnel, Division of Organization and Personnel, Office of Administration, NRC, 8120 Woodmont Avenue, Bethesda, Maryland.

For Regional personnel, at each of the Regional offices listed in Addendum I, Part 2.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

Categories of individuals covered by the system:

Persons who have applied for Federal employment with the NRC under general announcement provisions. NRC employees who desire to enhance their training and experience qualifications for movement into administrative, paraprofessional, and professional ranks.

Categories of records in the system:

These records contain general application information relating to the education, training, employment history, earnings, past performance, criminal convictions, if any, written achievement tests, honors, awards or fellowships, military service, veteran preference status, birthplace, birth date, social security account number, and home address of persons who have applied for Federal employment with the NRC (SF-171, resumes, and similar documents). The records also contain personnel qualification statements, job descriptions, self-evaluation forms, examination results, supervisory evaluation forms, performance appraisals, DARE counselor's reports, training guides, course plans, and related correspondence.

Authority for maintenance of the system:

a. Section 161(d), Atomic Energy Act of 1954, 42 U.S.C. 2201(d) (1976),

b. 42 U.S.C. 2000e and 5B71 (1976),

c. Executive Order 11478, August 8, 1969.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. To furnish information to agencies related to transfer or consideration of employment;

b. To prepare reports for transmittal to the Office of Personnel Management and/or Merit Systems Protection Board; and

c. For any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained primarily on paper, forms, lists, and index cards in file folders. Also, certain data is maintained on magnetic tapes, disks, and punch cards.

Retrievability:

Records are indexed by name and an identification number assigned to each individual.

Safeguards:

Maintained in unlocked file cabinet. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

a. Active records are retained indefinitely;
b. Inactive records are sent to the National Personnel Records Center within 30 days of the date of the employee's separation from Federal service;
c. Register of Eligible Applications — retained for 6 months from date of application or until no longer needed, then destroyed by incineration;
d. Index cards—retained from date application is placed in the review system, then destroyed by incineration when no longer needed; and
e. Other related recruitment and placement documents—destroyed by incineration when no longer needed.

System manager(s) and address:

Chief, Recruitment Branch, Division of Organization and Personnel, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure." Some information was received in confidence and will not be disclosed to the extent that disclosures would reveal a confidential source. Testing material may not be disclosed to the extent such disclosure would compromise the testing process.

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information in this system of records either comes from the individual to whom it applies or is derived from information supplied by that individual, individual's current and previous supervisor within and outside NRC, DARE counselors and program coordinator, with the exception of reports from medical personnel on physical qualifications, results of examinations, preemployment evaluation data furnished by references and educational institutions whose names were supplied by applicant, and information from other Federal agencies.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(5), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). The exemption rule is contained in 10 CFR 9.95 of the NRC regulations.

NRC-29

System name:

Document Control System—NRC.

System location:

Primary system—Contractor Site, 7101 Wisconsin Avenue, Suite 1400, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2; the NRC Public Document Room (PDR), 1717 H Street, NW, Washington, DC; and the NRC Local Public Document Rooms (LPDRs).

Categories of individuals covered by the system:

NRC staff, contractors, subcontractors, licensees, Congressional offices, and other correspondents with the NRC.

Categories of records in the system:

Documents both received by and originated by the NRC.

Authority for maintenance of the system:

42 U.S.C. 5841 (1976) and 44 U.S.C. 3101 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. To refer, where appropriate, inquiries to other Federal agencies or persons for their reply or action;
b. To provide information to persons or agencies requesting this information, including provision of Daily Accession Lists in the NRC PDR and LPDRs;
c. To prepare a monthly "Title List of Documents Made Publicly Available";
d. To serve as the NRC's official records for documents placed on the system; and
e. For any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on microfiche, disks, tapes, and paper in file folders. Proprietary and sensitive documents are maintained in secured facilities.

Retrievability:

Accessed by name (author or recipient), corporate source, title of document, subject matter, or other identifying document or control number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Information not exempt from disclosure under the Freedom of Information Act (FOIA) will be publicly available in the NRC PDR and LPDRs.

Retention and disposal:

Retention is for an indefinite period.

System manager(s) and address:

DCS Project Officer, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure." Information which is classified pursuant to Executive Order 12356 or otherwise exempt from public disclosure under the FOIA will not be disclosed.

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information in this system of records comes from the correspondence to and from the NRC, end NRC employees.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f). This exemption rule is contained in 10 CFR 9.95 of the NRC regulations.

NRC-30

System name:

Manpower System (MPS) Records—NRC.

System location:

Primary system—National Institutes of Health Computer Facility, c/o Division of Automated Information Services, Office of Resource Management, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

Categories of individuals covered by the system:

All NRC employees.

Categories of records in the system:

These records contain information relating to number of regular and nonregular hours worked, the nature of the work, and work load projections.

Authority for maintenance of the system:

a. 42 U.S.C. 2201(p) (1976);
b. Executive Order 9397, November 22, 1943.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. As a project management tool in various management records throughout the NRC; and

b. For the routine uses specified in paragraph numbers 5 and 6 of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained in computer files, computer records, on tapes, disks, cards, and microfiche.

Retrievability:

Accessed by social security account number, project, program, or activity numbers; docket number, TACS, or PPSAS numbers.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Retained indefinitely in computer files.

System manager(s) and address:

Director, Division of Automated Information Services, Office of Resource Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information in this system of records comes from the individual to whom it pertains.

NRC-31

System name:

Correspondence and Records Branch, Office of the Secretary—NRC.

System location:

Office of the Secretary, Correspondence and Records Branch", NRC, 1717 H Street, NW, Washington, DC 20555. Duplicate system—duplicate system exists, in whole or in part, at the Contractor Site, 7101 Wisconsin Avenue, Suite 1400, Bethesda, Maryland.

Categories of individuals covered by the system:

The majority of records in this system consist of internal NRC memoranda between NRC employees and the Chairman, a Commissioner, or the Secretary in the ordinary course of carrying out the official business of the NRC. Records also include correspondence from Members of Congress and their staffs including constituent referrals and White House correspondence referred to the NRC for response as well as correspondence from representatives of industries and other groups affected by NRC regulations, and the general public. Correspondence may identify an individual's social security account number, birth date, address, and employment.

Categories of records in the system:

These records contain information concerning all subjects which directly or indirectly relate to the fulfillment of NRC's statutory mandate. Records include information dealing with the policy, legal, administrative, and adjudicatory functions of the NRC.

Authority for maintenance of the system:

42 U.S.C. 5841 (1976) and 44 U.S.C. 3101 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used for any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The bulk of records is maintained in file folders. Other records are maintained in computer files, computer records, on tapes, disks, cards, and microfiche.

Retrievability:

Records may be accessed by subject matter headings, author's last name, activity number, date of document, and date of receipt of document or file location.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Classified materials are maintained in approved safes, and unclassified records are maintained in rolling file equipment.

Retention and disposal:

Retained indefinitely.

System manager(s) and address:

Chief, Correspondence and Records Branch, Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure." Some information is classified pursuant to Executive Order 12356 and will not be disclosed.

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Information in this system of records comes from communications to the Commission and responses thereto.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(1), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). The exemption rule is contained in 10 CFR 9.95 of the NRC regulations.

NRC-32—[Revoked]

NRC-33

System name:

Special Inquiry File—NRC.

System location:

Primary system—Special Inquiry Group, NRC, 7920 Norfolk Avenue, Bethesda, Maryland.

Duplicate system—duplicate system exists, in whole or in part, at the Contractor Site, 7101 Wisconsin Avenue, Suite 1400, Bethesda, Maryland.

Categories of individuals covered by the system:

Individuals possessing information regarding or having knowledge of matters of potential or actual concern to the Commission in connection with the investigation of an accident or incident at a nuclear power plant or other nuclear facility, or an incident involving nuclear materials or an allegation regarding the public health and safety related to the NRC's mission responsibilities.

Categories of records in the system:

The system consists of an alphabetical index file bearing individual names. The index provides access to associated records which are arranged by subject matter, title, or identifying number(s) and/or letter(s). The system incorporates the records of all Commission correspondence, memoranda, audit reports and data, interviews, questionnaires, legal papers, exhibits, investigative reports and data, and other material relating to or developed as a result of the inquiry, study, or investigation of an accident or incident.

Authority for maintenance of the system:

42 U.S.C. 2201(c), (i) and (o) (1976); 5841(f) (1974).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. To provide information relating to an item which has been referred to the Commission or Special Inquiry Group for investigation by an agency, group, organization, or individual may be disclosed as a routine use to notify the referring agency, group, organization, or individual of the status of the matter or of any decision or determination that has been made;

b. To disclose a record as a routine use to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States;

c. To provide records relating to the integrity and efficiency of the Commission's operations and management may be disseminated outside the Commission as part of the Commission's responsibility to inform the Congress and the public about Commission operations; and

d. For any of the routine uses specified in paragraph numbers 1, 2, 4, 5, and 6 of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained on microfiche, disks, tapes, and paper in file folders. Documents are maintained in secured vault facilities.

Retrievability:

Accessed by name (author or recipient), corporate source, title of document, subject matter, or other identifying document or control number.

Safeguards:

These records are located in lockable metal filing cabinets or safes in a secured facility and are available only to authorized personnel whose duties require access.

Retention and disposal:

Retained and destroyed in accordance with approved records disposal schedules for the various types of records involved.

System manager(s) and address:

Records Manager, Special Inquiry Group, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure." Information classified pursuant to Executive Order 12356 will not be disclosed. Information received in confidence will not be disclosed to the extent that disclosure would reveal a confidential source.

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

The information in this system of records is obtained from sources including, but not limited to, NRC officers and employees; Federal, State, local, and foreign agencies; NRC licensees; nuclear reactor vendors and architectural engineering firms; other organizations or persons knowledgeable about the incident or activity under investigation; and relevant NRC records.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(1), (k)(2), and (k)(5), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). The exemption rule is contained in 10 CFR 9.95 of the NRC regulations.

NRC-34

System name:

Advisory Committee on Reactor Safeguards (ACRS) Correspondence Index and Associated Records—NRC.

System location:

Primary system—Advisory Committee on Reactor Safeguards, NRC, 1717 H Street, NW, Washington, DC.

Duplicate system—duplicate system exists, in whole or in part, at the National Institutes of Health Computer Facility, Bethesda, Maryland.

Categories of individuals covered by the system:

Persons providing information to or requesting information from the ACRS.

Categories of records in the system:

These records contain information relating to incoming requests and correspondence from individuals and replies thereto and a listing of technical information by authors' names.

Authority for maintenance of the system:

44 U.S.C. 3101 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used for any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Indexing is maintained on computer tapes and disks and individual materials are located in ACRS files.

Retrievability:

Indexed by one or more of the following categories: Author and addressee's name, subject title using the Key Word Out of Context (KWOC) index, and issuing organization or agency.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Retained indefinitely.

System manager(s) and address:

Chief, Technical Information Branch, Advisory Committee on Reactor Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Records contain information prepared by private individuals or organizations, government agencies and their contractors, companies, and other groups such as the American National Standards Institute (ANSI).

NRC-35

System name:

Drug Testing Program Records—NRC.

System location:

Primary system: Division of Security, Office of Administration and Resources Management, 7735 Old Georgetown Road, Bethesda, Maryland.

Duplicate systems: Duplicate systems may exist, in whole or in part, at the locations listed in Addendum 1, Parts 1 and 2; and at contractor testing laboratories and collection/evaluation facilities.

Categories of individuals covered by the system:

Persons including NRC employees, employment applicants, consultants, and contractors.

Categories of records in the system:

These records contain information regarding results of the drug testing program; requests for and results of initial, confirmatory and follow-up testing, if appropriate; additional information supplied by NRC employees, employment applicants, consultants, or contractors in challenge to positive test results; and written statements or medical evaluations of attending physicians and/or information regarding prescription or nonprescription drugs.

Authority for maintenance of the system:

a. Executive Order 12564; September 15, 1986;

b. Pub. L. 100–71, "Supplemental Appropriations for the Homeless Act of 1987," Amendment No. 416, July 11, 1987.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used by the Division of Security and NRC management:

a. To identify substance abusers within the agency;
b. To initiate counselling and/or rehabilitation programs;
c. To take personnel actions;
d. To take personnel security actions; and
e. For statistical purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on paper in file folders, on index cards, and on computer printouts for documentary information. Specimens are maintained in appropriate environments.

Retrievability:

Records are indexed and accessed by name, social security account number, testing position number, specimen number, drug testing laboratory accession number, or a combination thereof.

Safeguards:

Access to and use of these records is limited to those persons whose official duties require such access, with records maintained and used with the highest regard for personal privacy. Records in the Division of Security are stored in an approved security container under the immediate control of the Director, Division of Security, or designee. Records at other NRC locations and in laboratory/collection/evaluation facilities will be stored under appropriate security measures so that access is limited and controlled.

Retention and disposal:

a. Test results, whether negative or positive, and other drug screening records filed in the Division of Security or at the locations listed in Addendum I, Parts 1 and 2, will be retained and retrieved as indicated under the Retrievability category. When an individual terminates employment or a contractual/consultant relationship with the NRC, negative test results will be destroyed by shredding, or by other approved disposal methods. Positive test results will be maintained through the administrative/judicial disposition and/or appeal rights of the tested party, at which time they will be destroyed by shredding, or by other approved disposal methods.

b. Test results, whether negative or positive, on file in contractor testing laboratories, will be maintained for a minimum of two years in the laboratories; or, upon instructions provided by the Division of Security, will be transferred to the Division of Security when the contract is terminated or whenever an individual, previously subjected to urinalysis by the laboratory, terminates employment or a contractual/consultant relationship with the NRC. Records received form the laboratories by the Division of Security will be incorporated into other records in the system or, if the individual has terminated, those records reflecting negative test results will be destroyed by shredding, or by other approved disposal methods. Positive test results will be maintained through the administrative/judicial disposition and/or appeal rights of the tested party, at which time they will be destroyed by shredding, or by other approved disposal methods.

c. Negative specimens will be destroyed according to laboratory/contractor procedures.

d. Positive specimens will be maintained through the administrative/judicial disposition and/or appeal rights of the tested party.

System manager(s) and address:

Director, Division of Security, Office of Administration and Resources Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration and Resources Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

NRC employees, employment applicants, consultants, and contractors who have been identified for drug testing, who have been tested, or who have admitted abusing drugs prior to being tested; physicians making statements regarding medical evaluations and/or authorized prescriptions for drugs; NRC contractors for processing, including but not limited to, specimen collection, laboratories for analysis, and medical evaluations; and NRC staff administering the drug testing program to ensure the achievement of a drug-free workplace.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(5), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). The exemption rule is contained in 10 CFR 9.95 of the NRC regulations.

NRC-36

System name:

Employee Locator Records Files--NRC.

System location:

Primary system—Part A: Computer and Telephone Operations Branch, Division of Information Support Services, Office of Information Resource Management, 7920 Norfolk Avenue, Bethesda, Maryland.

Part B: Director, Division of Organization and Personnel, Office of Administration, 8120 Woodmont Avenue, Bethesda, Maryland.

Categories of individuals covered by the system:

NRC employees and consultants.

Categories of records in the system:

These records contain information relating to name, address (home and business), telephone numbers (home and business), organization, persons to be notified in case of emergency, and other related records.

Authority for maintenance of the system:

44 U.S.C. 3101 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used for:

a. Notification of employee in case of an emergency;

b. Notification of employee regarding matters of official business;

c. Verification of accuracy of and update of Automated Payroll System file on employee home addresses and zip codes;

d. Conducting statistical studies, and

e. The routine use specified in paragraph number 6 of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained within a computerized telephone directory system.

Retrievability:

Indexed by name.

Safeguards:

Maintained in controlled access room under 24-hour visual control of NRC operators. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Retained until 6 months after association with NRC is discontinued, then destroyed by shredding.

System manager(s) and address:

Part A: Chief, Computer and Telephone Operations Branch, Division of Information Support Services, Office of Information Resource Management,U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Individual on whom the record is maintained, general personnel records, and other related records.

NRC-37

System name:

Information Security Files and Associated Records—NRC.

System location:

Primary system—Division of Security, Office of Administration, NRC, 7915 Eastern Avenue, Silver Spring, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2; and at the National Institutes of Health Computer Facility, Bethesda, Maryland.

Categories of individuals covered by the system:

Persons including present or former NRC employees, contractors, consultants and licensees; other Government agency personnel; and other cleared persons.

Categories of records in the system:

These records include information regarding:

a. Personnel who are authorized access to specified levels, categories and types of information, the approving authority, and related documents; and

b. Names of individuals who classify documents (e.g., for the protection of information relating to the U.S. national defense and foreign relations) as well as information identifying the document.

Authority for maintenance of the system:

a. 42 U.S.C. 2165 and 2201(i) (1976);

b. Executive Order 12356, April 2, 1982.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this system may be used for any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained primarily in file folders, on disk, and index cards.

Retrievability:

Indexed and accessed by name and/or assigned number.

Safeguards:

Maintained in locked buildings, containers, or security areas under guard and/or alarm protection, as appropriate.

Retention and disposal:

a. Classified documents, administrative correspondence, document receipts, destruction certificates, classified document inventories, and related records—retained 2 years, then destroyed by shredding;

b. Top Secret Accounting and Control files: Registers—retained 5 years after documents shown on form are downgraded, transferred, or destroyed by shredding; Accompanying forms—retained until related document is downgraded, transferred, or destroyed by shredding.

System manager(s) and address:

Director, Division of Security, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure." Some information is classified pursuant to Executive Order 12356 and will not be disclosed. Other information has been received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source.

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Persons, including NRC employees, contractors, consultants, and licensees, as well as information furnished by other Government agencies or their contractors.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k) (1) and (5), the Commission has exempted portions of this system of records from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f). The exemption rule is contained in 10 CFR 9.95 of NRC regulations.

NRC-38

System name:

Mailing Lists—NRC.

System location:

Primary System—U.S. Government Printing Office, Superintendent of Documents, 941 North Capitol Street, NW, Union Center Plaza, 4th Floor, Washington, DC 20402.

Categories of individuals covered by the system:

Individuals with an interest in receiving information from the NRC.

Categories of records in the system:

Mailing lists include primarily the individual's name and address. Some lists also include title, occupation, and institutional affiliation.

Authority for maintenance of the system:

44 U.S.C. 3101 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. For distribution of documents to persons and organizations listed on the mailing lists; and

b. For the routine use specified in paragraph number 6 of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on magnetic tape.

Retrievability:

Records are accessed by company name and then individual name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Documents requesting changes are retained 3 months, then destroyed through regular trash disposal system; lists are retained until cancelled or revised, then destroyed through regular trash disposal system.

System manager(s) and address:

Director, Division of Technical Information and Document Control, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure."

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

NRC licensees and individuals expressing an interest in NRC activities and publications.

NRC-39

System name:

Personnel Security Files and Associated Records—NRC.

System location:

Primary system—Division of Security, Office of Administration, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2; and the Department of Energy, Headquarters Building, Germantown, Maryland.

Categories of individuals covered by the system:

Persons including NRC employees, employment applicants, consultants, contractors, and licensees; other government agency personnel (e.g., General Services Administration personnel), other persons who have been considered for a personnel clearance, special nuclear material access authorization, NRC building access, access to Federal automated information systems or data, or participants in the criminal history program; aliens who visit at NRC's facilities; and actual or suspected violators of laws administered by NRC.

Categories of records in the system:

These records contain information relating to personnel, including name, address, date and place of birth, social security account number, citizenship, residence history, employment history, foreign travel, foreign contacts, education, personal references, organizational membership, and security clearance history. These records also contain copies of personnel security investigative reports from other agencies (primarily from the Office of Personnel Management or the Federal Bureau of Investigation), summaries of investigative reports, results of Federal agency indices checks, records necessary for participation in the criminal history program, reports of personnel security interviews, clearance actions information (e.g., grants and terminations), access approval/disapproval actions related to NRC building access, or access to Federal automated information systems or data, violations of laws, reports of security infraction, "Request for Visit or Access Approval" (Form NRC-277), and other related personnel security processing documents.

Authority for maintenance of the system:

a. 42 U.S.C. 2165 and 2201(i) (1976);

b. Executive Order 12356, April 2, 1982;

c. Executive Order 10865, February 20, 1960;

d. Executive Order 10450, April 27, 1953;

e. 10 CFR Part 11 (1981);

f. Pub. L. 99-399, "Omnibus Diplomatic Security/Anti-Terrorism Act";

g. 40 U.S.C. 318;

h. OMB Circular No. A-130, December 12, 1985; Federal Personnel Manual 732 and authorities cited therein; and

i. Pub. L. 99-500.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used by the Division of Security and on a need-to-know basis by appropriate NRC officials, Hearing Examiners, Personnel Security Review Examiners, Office of Personnel Management, Federal Bureau of Investigation, and other Federal agencies:

a. To determine clearance or access authorization eligibility;

b. To determine eligibility for access to NRC buildings or access to Federal automated information systems or data;

c. To certify clearance or access authorization;

d. To maintain the NRC personnel security program;

e. To provide licensees information needed for their unescorted access or access to safeguard informaiton determinations; and

f. For any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained primarily in file folders, on tape, disk, microfiche, and index cards.

Retrievability:

Indexed and accessed by name, social security account number, docket number, or case file number or a combination thereof.

Safeguards:

File folders and computer printouts are maintained in security or controlled areas under guard and/or alarm protection, as appropriate.

Retention and disposal:

a. Personnel security clearance/access authorization files—retained 5 years from date of termination of access authorization or final administrative action, then may be destroyed by an approved method of destruction;

b. Request for Visit or Access Approval—Maximum security areas retained 5 years after final entry or after date of document, as appropriate; Other areas: Retained 2 years after final entry or after date of document, then destroyed by approved method of destruction;

c. Other security clearance/access authorization administration files—retained 2 years after final entry or after date of document, then destroyed by approved method of destruction;

d. Criminal history record files will be retained by name for 1 year while the Federal Bureau of Investigation actions are completed and submitter has been notified; retained in statistical format for 4 years, then destroyed by an approved method of destruction.

System manager(s) and address:

Director, Division of Security, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure." Some information is classified pursuant to Executive Order 12356 and will not be disclosed. Other information has been received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source.

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Persons including NRC applicants, employees, contractors, consultants, licensees, and visitors as well as information furnished by other Government agencies or their contractors.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a (k)(1), (k)(2), and (5), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f). The exemption rule is contained in 10 CFR 9.95 of the NRC regulations.

NRC-40

System name:

Facility Security Support Files and Associated Records–NRC.

System location:

Primary system—Division of Security, Office of Administration, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

Duplicate systems—duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

Categories of individuals covered by the system:

Persons including present or former NRC employees, consultants, contractors, and licensees; other government agency personnel; and actual and suspected violators of laws relating to the NRC's activities.

Categories of records in the system:

These records include information regarding NRC, NRC contractor, and NRC licensee facilities, security programs, and associated records; individuals visiting NRC facilities; NRC employees and NRC-related identification files maintained for access purposes; actual or suspected violations of laws of security interest administered by NRC, including copies of investigative reports from other Government agencies; and other documents relating to the safeguards of National Security Information (NSI) and Restricted Data.

Authority for maintenance of the system:

a. 42 U.S.C. 2165 and 2201 (i) and (p) (1976);

b. Executive Order 12356, April 2, 1982.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used:

a. To provide licensees and contractors with the information necessary to maintain an adequate security program; and

b. For any of the routine uses specified in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained primarily in file folders, on disk, and related forms.

Retrievability:

Indexed and accessed by name, facility, badge number, identification card number, chronologically, or a combination thereof.

Safeguards:

Maintained in security containers or security areas under guard and/or alarm protection, as appropriate.

Retention and disposal:

a. Survey and inspection files and records pertaining to NRC, NRC contractors, and NRC licensees, facility security programs—Government-owned facilities: Retained 2 years after discontinuance of facility; Privately owned facilities: Retained 2 years after security cognizance is terminated, then destroyed by shredding or pulping;

b. NRC employee and NRC-related identification files—retained 2 years following employee's termination, then destroyed by shredding or pulping;

c. Security interest violation and investigative report files—retained indefinitely;

d. Other documents relating to NSI and Restricted Data safeguards and other security and protective service files—retained 2 years from date of document, then destroyed by shredding or pulping.

System manager(s) and address:

Director, Division of Security, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Notification procedure:

Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Record access procedures:

Same as "Notification procedure." Some information is classified pursuant to Executive Order 12356 and will not be disclosed. Other information has been received in confidence and will not be disclosed to the extent that disclosure would reveal a confidential source.

Contesting record procedures:

Same as "Notification procedure."

Record source categories:

Persons including NRC employees, contractors, consultants, licensees, and visitors, as well as information furnished by other government agencies or their contractors.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(5) and (6), the Commission has exempted portions of this system of records from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f). The exemption rule is contained in 10 CFR 9.95 of the NRC regulations.

Addendum I—List of U.S. Nuclear Regulatory Commission Locations

Part 1—NRC Headquarters Offices

a. Air Rights III Building, 4550 Montgomery Avenue, Bethesda, Maryland.
b. East-West/South Towers Building, 4340 East West Highway, Bethesda, Maryland.
c. East-West/West Towers Building, 4350 East West Highway, Bethesda, Maryland.
d. Maryland National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland.
e. Matomic Building, 1717 H Street, NW, Washington, DC.
f. Nicholson Lane Building, 5650 Nicholson Lane Rockville, Maryland.
g. Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland.
h. Willste Building, 7915 Eastern Avenue, Silver Spring, Maryland.
i. Woodmont Building, 8120 Woodmont Avenue, Bethesda, Maryland.

Part 2—NRC Regional Offices

a. NRC Region I, 631 Park Avenue, King of Prussia, Pennsylvania 19406.
b. NRC Region II, 101 Marietta Street, NW, Suite 2900, Atlanta, Georgia 30323.
c. NRC Region III, 799 Roosevelt Road, Glen Ellyn, Illinois 60137.
d. NRC Region IV, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011.

e. NRC Region IV Uranium Recovery Field Office, 730 Simms Street, P.O. Box 25325, Denver, Colorado 80225.

f. NRC Region V, 1450 Maria Lane, Suite 210, Walnut Creek, California 94596.

Title 10-Energy

Chapter I-Nuclear Regulatory Commission

PART 9—PUBLIC RECORDS

Sec.

Subpart B—Privacy Act Regulations

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Subpart B—Privacy Act Regulations

Source: 40 FR 44484, Sept. 26, 1975, unless otherwise noted.

§ 9.50 Scope of subpart.

This subpart implements the provisions of section 3 of the Privacy Act of 1974, Pub. L. 93-579, 5 U.S.C. 552a, with respect to (a) the procedures by which individuals may determine the existence of, seek access to and request correction of NRC records concerning themselves, and (b) the requirements applicable to NRC personnel with respect to the use and dissemination of such records. The regulations in this subpart apply to all records which are retrievable from a system of records under the control of the Nuclear Regulatory Commission by the use of an individual's name or of an identifying number, symbol, or other identifying particular assigned to such individual. Except where specifically provided otherwise, this subpart applies to all NRC records maintained on individuals whether they predate or postdate September 27, 1975.

§ 9.51 Definitions.

As used in this subpart:

(a) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence.

(b) The term "maintain" includes maintain, collect, use or disseminate.

(c) "Record" means any item, collection or grouping of information about an individual that is maintained by the NRC, including, but not limited to, his education, financial transactions, medical history, employment history or criminal history, and that contains the individual's name, or the identifying number, symbol or other identifying particular assigned to the individual, such as a finger or voice print or a photograph.

(d) "System manager" means the NRC official responsible for maintaining a system of records.

(e) "Systems of records" means a group of records under the control of the NRC from which information is retrieved by the name of an individual or by an identifying number, symbol, or other identifying particular assigned to an individual.

(f) "Statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided by the Census Act, 13 U.S.C. 8.

(g) "Routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected, as described in a notice published in the **Federal Register**.

Procedures Applicable to Requests by Individuals for Information, Access or Amendment of Records Maintained About Them

Presentation of Requests

§ 9.52 Types of requests.

(a) Individuals may make the following requests respecting records about themselves maintained by NRC in a system of records subject to the provisions of the Privacy Act of 1974:

(1) Request a determination whether a record about the individual is contained in a system of records.

(2) Request access to a record about the individual. Access requests may include requests to review the record and to have a copy made of all or any portion thereof in a form comprehensible to the individual.

(3) Request correction or amendment of a record about the individual.

(b) *Requests for accounting of disclosures.* Individuals may, at any time, request an accounting by NRC of disclosures to any other person or Government agency of any record about themselves contained in a system of records controlled by NRC, except the following: (1) Disclosures made pursuant to the Freedom of Information Act, 5 U.S.C. 552; (2) disclosures made within the Nuclear Regulatory Commission; (3) disclosures made to another Government agency or instrumentality for an authorized law enforcement activity pursuant to 5 U.S.C. 552a(b)(7); (4) disclosures expressly exempted by NRC regulations from the requirements of 5 U.S.C. 552a(c)(3) pursuant to 5 U.S.C. 552a(k).

§ 9.53 Requests; how and where presented.

(a) Requests may be made in person or in writing. Assistance regarding requests or other matters relating to the Privacy Act of 1974 may be obtained by writing to the Director, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Requests relating to records in multiple systems of records should be made to the Director, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. The Director, or his designee, shall assist the requestor in identifying his request more precisely and shall be responsible for forwarding the request to the appropriate system manager.

(b) All written requests shall be made to the Director, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should clearly state on the envelope and in the letter, as appropriate: "Privacy Act Request," "Privacy Act Disclosure Accounting Request," "Privacy Act Correction Request." A request that is not so marked will be deemed not to have been received by the NRC until it is actually received by the Director, Office of Administration.

(c) Requests may be made in person during official hours at the U.S. Nuclear Regulatory Commission office where the record is located, as listed in the "Notice of System of Records" for the system in which the record is contained.

[40 FR 44484, Sept. 26, 1975, as amended at 41 FR 20845, May 20, 1976]

§ 9.54 Verification of identity of individuals making requests.

(a) Identification requirements in paragraphs (a) (1) and (2) of this section are applicable to any individual who makes requests respecting records about himself, except that no verification of identity shall be required if the records requested are available to the public under the provisions of the Freedom of Information Act. With respect to certain sensitive records, additional requirements for verification of identity stated in the appropriate published "Notice of System of Records" may be imposed.

(1) *Written requests.* An individual making a written request respecting a record about himself may establish his identity by a signature, address, date of birth, employee identification number if any, and one other item of identification such as a photocopy of a driver's license or other document.

(2) *Requests in person.* An individual making a request in person respecting a record about himself may establish his identity by the presentation of a single document bearing a photograph (such as a passport or identification badge) or by the presentation of two items of identification which do not bear a photograph but do bear a name, address and signature (such, as a driver's license or credit card).

(b) *Inability to provide requisite documentation of identity.* An individual making a request in person or in writing respecting a record about himself who cannot provide the necessary documentation of identity may provide a notarized statement, swearing or affirming to his identity and to the fact that he understands that penalties for false statements may be imposed pursuant to 18 U.S.C. 1001, and that penalties for obtaining a record concerning an individual under false pretenses may be imposed pursuant to 5 U.S.C. 552a(i)(3). Forms for such notarized statements may be obtained on request from the Director, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

(c) *Verification of parentage or guardianship.* In addition to establishing the identity of the minor, or other individual he represents as required in paragraph (a) of this section, the parent or legal guardian of a minor or of an individual judicially determined to be incompetent shall establish his status as parent or guardian by furnishing a copy of a birth certificate of the minor showing parentage or a copy of a court order establishing guardianship.

§ 9.55 Specification of records.

(a)(1) Requests relating to records shall, insofar as practicable, specify the nature of the record sought, the approximate dates covered by the record, the system of records in which the record is thought to be included and the system manager having custody of the record system as shown in the annual compilation, "Notices of Records Systems", published by the General Services Administration. Requests shall, in addition, comply with any additional specification requirements contained in the published "Notice of System of Records" for that system.

(2) Requests for correction or amendment of records shall, in addition, specify the particular record involved, state the nature of the correction or amendment sought and furnish justification for the correction or amendment.

(b) Requests which do not contain information sufficient to identify the record requested will be returned promptly to the requestor, with a notice indicating what information is lacking. Individuals making requests in person will be informed of any deficiency in the specification of records at the time the request is made. Individuals making requests in writing will be notified of any such deficiency when their request is acknowledged.

§ 9.56 Accompanying persons.

An individual requesting access to records about himself may be accompanied by another individual of his own choosing. Both the individual requesting access and the individual accompanying him shall sign the required form indicating that the Nuclear Regulatory Commission is authorized to discuss the contents of the subject record in the presence of both individuals.

NRC Procedures for Processing Requests

§ 9.60 Acknowledge of requests.

(a) Written requests by individuals to verify the existence of, obtain access to or correct or amend records about themselves maintained by NRC in a system of records subject to the provisions of the Privacy Act of 1974, shall be acknowledged in writing by the Director, Office of Administration, or his designee, within ten working days after date of actual receipt. The acknowledgement shall advise the requestor if any additional information is needed to process the request. Wherever practicable, the acknowledgement shall notify the individual whether his request to obtain access to the record or to correct or amend the record has been granted or denied.

(b) When an individual requests access to records or permission to correct or amend records in person, every effort will be made to make an immediate determination as to whether access or correction or amendment should be granted. If an immediate determination cannot be made, the request will be processed in the same manner as a written request. Records will be made available for immediate inspection whenever possible.

§ 9.61 Procedures for processing requests for records exempt in whole or in part.

(a) When an individual requests information concerning the existence of, or access to, records about himself which have been compiled in reasonable anticipation of a civil action or proceeding in either a court or before an administrative tribunal, the NRC shall advise the individual only that no record available to him pursuant to the Privacy Act of 1974 has been identified.

(b) *Specific exemptions pursuant to 5 U.S.C. 552a(k).* Individual requests for access to records which have been exempted from access pursuant to the provisions of 5 U.S.C. 552a(k) and § 9.95 shall be processed as follows:

(1) *Information classified pursuant to Executive Order 12356 and exempted pursuant to 5 U.S.C. 552a(k)(1).* (i) Requested information classified by NRC will be reviewed by the responsible official of the NRC to determine whether it continues to warrant classification under the criteria of section 1.3 of Executive Order 12356.

(ii) Information which no longer warrants classification under these criteria shall be declassified and made available to the individual. If the requested information has been classified by another agency, the responsible official of the NRC will request the classifying agency to review the information to ascertain if classification is still warranted. If the information continues to warrant classification, the individual shall be advised that the information sought is classified, that it has been reviewed and continues to warrant classification, and that it has been exempted from access pursuant to 5 U.S.C. 552a(k)(1).

(2) *Investigatory material compiled for law enforcement purposes exempted pursuant to 5 U.S.C. 552a(k)(2).* Requests shall be responded to in the manner provided in paragraph (a) of this section unless a review of the information indicates that the information has been used or is being used to deny the individual any right, privilege or benefit for which he is eligible or to which he would otherwise be entitled under Federal law. In that event, the individual shall be advised of the existence of the information and shall be provided the information except to the extent it

would reveal the identity of a confidential source. Information that would reveal the identity of a confidential source shall be extracted or summarized in a manner which protects the source and the summary or extract shall be provided to the requesting individual.

(3) *Material within a system of records required by statute to be maintained and used solely as statistical records and exempted pursuant to 5 U.S.C. 552a(k)(4).* The exempted information requested will be reviewed by the responsible official of the NRC to determine whether it continues to warrant exemption. Information which no longer warrants exemption shall be made available to the individual. If the information continues to warrant exemption, the individual shall be advised that the information sought is exempt from disclosure, that it has been reviewed and continues to warrant exemption, and that it has been exempted from access pursuant to 5 U.S.C. 552a(k)(4).

(4) *Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information and exempted pursuant to 5 U.S.C. 552a(k)(5).* Information exempted pursuant to 5 U.S.C. 552a(k)(5) shall be made available to an individual upon request except to the extent that the information would reveal the identity of a confidential source. Material that would reveal the identity of a confidential source shall be extracted or summarized in a manner which protects the source and the summary or extract shall be provided to the requesting individual.

(5) *Testing or examination material exempted pursuant to 5 U.S.C. 552a(k)(6).* Testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service which has been exempted pursuant to 5 U.S.C. 552a(k)(6) shall not be made available to an individual if disclosure would compromise the objectivity or fairness of the testing or examination process but may be made available if no possibility of such compromise exists.

[40 FR 44484, Sept. 26, 1975, as amended at 44 FR 50804, Aug. 30, 1979; 50 FR 50284, Dec. 10, 1985]

§ 9.62 Special procedures.

(a) *Records under the control of another government agency*- (1) *Medical records.* Requests received by NRC pertaining to medical records under the control of the U.S. Public Health Service or another Government agency will either be referred to the appropriate agency or returned to the requestor with the name of the controlling Government agency, if known, within ten working days after receipt by NRC. NRC will inform the requestor of any referral of his request to another Government agency at the time the referral is made.

(2) *Nonmedical records.* Requests received by NRC pertaining to nonmedical records under the control of another Government agency will be returned to the requestor with the name of the controlling Government agency, if known, within ten working days after receipt by NRC.

[40 FR 44484, Sept. 26, 1975, as amended at 41 FR 44997, Oct. 14, 1976]

Determinations and Appeals

§ 9.65 Access determinations; appeals.

(a) *Initial determinations.* The Director, Office of Administration, or his designee, with the advice of the system manager having control of the record to which access is requested, shall determine whether access to the record is available under the Privacy Act and notify the requesting individual in person or in writing of that determination. Unless the request presents unusual difficulties or involves extensive numbers of records, individuals shall be notified of determinations to grant or deny access within 30 working days after receipt of the request.

(1) Notices granting access shall inform the individual when and where the requested record may be seen, how copies may be obtained, and of any fees or anticipated charges which may be incurred pursuant to § 9.85.

(2) Notices denying access shall state the reasons for the denial, and advise the individual that he may appeal the denial to the Executive Director for Operations in accordance with the procedures set forth in this section.

(b) *Appeals from denials of access.* If an individual has been denied access to a record the individual may request a final review and determination of his request by the Executive Director for Operations. A request for final review of an initial determination should be filed within 60 days of the receipt of the initial determination, shall be in writing, shall be addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should be clearly marked on the envelope and in the letter "Privacy Act Appeal—Denial of Access." A request that is not so marked will be deemed not to have been received by the NRC until it is actually received by the Executive Director for Operations.

(c) *Final determinations.* (1) The Executive Director for Operations, or his designee, shall make a final determination within 30 working days of receipt of the request for final review, unless he extends the time for good cause shown such as the need to obtain additional information, the volume of records involved or the complexity of the issue. The extension of time shall not exceed 30 additional working days. The requestor shall be advised in advance of any extension of time and of the reasons therefor.

(2) If the Executive Director for Operations, or his designee, determines that access was properly denied because the information requested has been exempted from disclosure, he shall undertake a review of the exemption to determine whether the information should continue to be exempt from disclosure. The Executive Director for Operations, or his designee, shall notify the individual in writing of his final determination to grant or deny the request for access. Notices denying access shall state the reasons therefor and shall advise the individual of his right to judicial review pursuant to 5 U.S.C. 552a(g).

[40 FR 44484, Sept. 26, 1975, as amended at 41 FR 20645, May 20, 1976; 41 FR 25997, June 24, 1976]

§ 9.66 Determinations authorizing or denying correction of records; appeals.

(a) *Initial determinations.* (1) The Director, Office of Administration, or his designee, with the advice of the system manager having control of the record, shall determine whether to authorize or refuse correction or amendment of a record. Unless the request presents unusual difficulties or involves extensive numbers of records, individuals shall be notified of determinations to authorize or refuse correction or amendment of a record within 30 working days after receipt of the request. In making this determination, the Director, or his designee, shall be guided by the following standards:

(i) Records shall contain only such information about an individual as is relevant and necessary to accomplish an NRC function required to be accomplished by statute or by executive order of the President;

(ii) Records used by NRC in making any determination about any individual shall be as accurate, relevant, current, and complete as is reasonably necessary to assure fairness to the individual in the determination;

(iii) No record shall describe how any individual has exercised rights guaranteed by the First Amendment unless such record is expressly authorized by statute or by the individual about whom the record is maintained, or is pertinent to and within the scope of an authorized law enforcement activity.

(2) If correction or amendment of a record is authorized, the Director, Office of Administration, or his designee, shall correct or amend the record, notify the requesting individual in writing that the correction or amendment has been made and provide the individual with a courtesy copy of the corrected record.

(3) If correction or amendment of a record is refused, the Director, Office of Administration, or his designee, shall notify the requesting individual in writing of the refusal and the reasons therefor, and shall advise the individual of his right to request a review of the refusal by the Executive Director for Operations in accordance with the procedures set forth in this section.

(b) *Appeals from initial adverse determinations.* If an individual's request to amend or correct a record has been denied, in whole or in part, the individual may request a final review and determination of his request by the Executive Director for Operations. A request for final review of an initial determination should be filed within 60 days of the receipt of the initial determination, shall be in writing, shall be addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should be clearly marked on the envelope and in the letter "Privacy Act Correction Appeal." An appeal that is not so marked will be deemed not to have been received by the NRC until it is actually received by the Executive Director for Operations. Requests for final review shall set forth the specific item of information sought to be corrected or amended and should include, where appropriate, documents supporting the correction or amendment.

(c) *Final determinations.* (1) The Executive Director for Operations, or his designee, shall make a final determination within 30 working days of receipt of the request for final review unless, for good cause shown such as the need to obtain additional information, the volume of records involved or the complexity of the issue, he extends the time for making the final determination. The extension of time shall not exceed 30 additional working days. The requestor shall be advised in advance of any extension of time and the reasons therefor.

(2) If the Executive Director for Operations, or his designee, makes a final determination that an amendment or correction of the record is warranted on the facts, he shall notify the Director, Office of Administration, to correct or amend the record pursuant to the procedures in § 9.66(a)(2).

(3) If the Executive Director for Operations, or his designee, makes a final determination that an amendment or correction of the record is not warranted on the facts, he shall notify the individual in writing of his refusal to authorize correction or amendment of the record in whole or in part, and of the reasons therefor, and shall advise the individual of his right to provide a "Statement of Disagreement" for the record and of his right to judicial review pursuant to 5 U.S.C. 552a(g).

[40 FR 44484, Sept. 26, 1975, as amended at 41 FR 20645, May 20, 1976; 41 FR 25997, June 24, 1976]

§ 9.67 Statements of disagreement.

(a) Written "Statements of Disagreement" may be furnished by the individual within 30 working days of the date of receipt of the final adverse determination of the Executive Director for Operations. "Statements of Disagreement" shall be addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should be clearly marked on the statement and on the envelope "Privacy Act Statement of Disagreement".

(b) The Executive Director for Operations, or his designee, shall be responsible for ensuring that: (1) The "Statement of Disagreement" is included in the system or systems of records in which the disputed item of information is maintained; and (2) the original record is marked to indicate the information disputed, the existence of a "Statement of Disagreement" and the location of the "Statement of Disagreement" within the system of records.

[40 FR 44484, Sept. 26, 1975, as amended at 41 FR 20645, May 20, 1976]

§ 9.68 NRC statements of explanation.

The Executive Director for Operations, or his designee, may, if he deems it appropriate, prepare a concise statement of the reasons why the requested amendments or corrections were not made. Any NRC "Statement of Explanation" shall be included in the system of records in the same manner as the "Statement of Disagreement". Courtesy copies of the NRC statement and of the notation of dispute as marked on the original record shall be furnished to the individual who requested correction or amendment of the record.

§ 9.69 Notices of correction or dispute.

(a) When a record has been corrected upon request or when a "Statement of Disagreement" has been filed, the Director, Office of Administration, or his designee, shall, within 30 working days thereof, advise all prior recipients of the affected record whose identity can be determined pursuant to an accounting of disclosures required by the Privacy Act or any other accounting previously made, of the correction or of the filing of the "Statement of Disagreement".

(b) Any disclosure of disputed information occurring after a "Statement of Disagreement" has been filed shall clearly identify the specific information disputed and be accompanied by a copy of the "Statement of Disagreement" and a copy of any NRC "Statement of Explanation".

Ddisclosure to Others of Records about Individuals

§ 9.80 Disclosure of record to persons other than the individual to whom it pertains.

(a) NRC Commissioners and NRC personnel shall not disclose any record which is contained in a system of records maintained by NRC by any means of communication to any person, or to another Government agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains, unless disclosure of the record is:

(1) To NRC Commissioners and NRC personnel who have a need for the record in the performance of their duties;

(2) Required under 5 U.S.C. 552;

(3) For a routine use published in the **Federal Register**;

(4) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of Title 13 of the United States Code;

(5) To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record and the record is transferred in a form that is not individually identifiable. The advance written statement of assurance shall (i) state the purpose for which the record is requested, and (ii) certify that the record will be used only for statistical purposes. Prior to release for statistical purposes in accordance with the provisions of this paragraph, the record shall be stripped of all personally identifying information and reviewed to

ensure that the identity of any individual cannot reasonably be determined by combining two or more statistical records;

(6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or to the Administrator of General Services or his designee for evaluation to determine whether the record has such value;

(7) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the NRC specifying the particular portion of the record desired and the law enforcement activity for which the record is sought. A record may be disclosed to a law enforcement agency at the initiative of the NRC if criminal conduct is suspected, provided that such disclosure has been established as a routine use by publication in the **Federal Register**, and the instance of misconduct is directly related to the purpose for which the record is maintained;

(8) To any person upon a showing of compelling circumstances affecting the health or safety of any individual;

(9) To either House of Congress or, to the extent of matter within its jurisdiction, to any committee or subcommittee thereof or to any joint committee of the Congress or to any subcommittee of such joint committee;

(10) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(11) Pursuant to the order of a court of competent jurisdiction.

§ 9.81 Notices of subpoenas.

When records concerning an individual are subpoenaed or otherwise disclosed pursuant to court order, the NRC officer or employee served with the subpoena shall be responsible for assuring that the individual is notified of the disclosure within five days after such subpoena or other order becomes a matter of public record. The notice shall be mailed to the last known address of the individual and shall contain the following information: (a) The date the subpoena is returnable; (b) the court in which it is returnable; (c) the name and number of the case or proceeding; and (d) the nature of the information sought.

§ 9.82 Notices of emergency disclosures.

When information concerning an individual has been disclosed to any person under compelling circumstances affecting health or safety, the NRC officer or employee who made or authorized the disclosure shall notify the individual at his last known address within five days of the disclosure. The notice shall contain the following information: (a) The nature of the information disclosed; (b) the person or agency to whom the information was disclosed; (c) the date of the disclosure; and (d) the compelling circumstances justifying the disclosure.

Fees

§ 9.85 Fees.

(a) Fees shall not be charged for search for or review of records requested pursuant to this subpart or for making copies or extracts of records in order to make them available for review. Fees established pursuant to 31 U.S.C. 483c and 5 U.S.C. 552a(f)(5) shall be charged according to the schedule contained in § 9.35 for actual copies of records requested by individuals, pursuant to the Privacy Act of 1974, unless the Director, Division of Freedom and Publication Services, waives the fee because of the inability of the individual to pay or because making the records available to pay without cost, or at a reduction in cost, is otherwise in the public interest.

[52 FR 49362, Dec. 31, 1987, as amended at 53 FR 52993, Dec. 30, 1988]

Enforcement

§ 9.90 Violations.

(a) An injunction or other court order may be obtained pursuant to 5 U.S.C. 552a(g) (1–3) to compel NRC to permit an individual to review, amend or copy a record pertaining to him, or to be accompanied by someone of his own choosing when he reviews his record. A court order may be obtained for the payment of a civil penalty imposed pursuant to 5 U.S.C. 552a(g)(4) if NRC intentionally or willfully fails to maintain a record accurately, or fails to comply with any provision of 5 U.S.C. 552a, or any provision of this subpart, if such failure results in an adverse determination or has an adverse effect on an individual. Court costs and attorney's fees may be awarded in civil actions.

(b) Any officer or employee of NRC who willfully maintains a system of records without meeting the notice requirements of 5 U.S.C. 552a(e)(4), or who willfully discloses information knowing such disclosure to be prohibited by 5 U.S.C. 552a or by any rules or regulations issued thereunder, may be guilty of a criminal misdemeanor and upon conviction may be fined up to $5000. Any person who knowingly and willfully requests or obtains any record concerning an individual from NRC under false pretenses may be convicted of a criminal misdemeanor and upon conviction may be fined up to $5000.

Exemptions

§ 9.95 Specific exemptions.

The following records, contained in the designated NRC Systems of Records (NRC–5, NRC–9, NRC–11, NRC–18, NRC–22, NRC–28, NRC–29, NRC–31, NRC–33, NRC–37, NRC–39, and NRC–40) are exempt from 5 U.S.C. 552a(c)(3), (d), (e)(i), (e)(4)(G), (H), (I), and (f) in accordance with 5 U.S.C. 552a(k). Each of these records is subject to the provisions of § 9.61.

(a) Contracts Records Files, NRC–5;

(b) Equal Employment Opportunity Records Files, NRC–9;

(c) General Personnel Records (Official Personnel Folder and Related Records), NRC –11;

(d) Investigative Offices Index, Files, and Associated Records, NRC–18;

(e) Personnel Performance Appraisals, NRC–22;

(f) Recruiting, Examining, and Placement Records, NRC–28;

(g) Document Control System, NRC–29;

(h) Correspondence and Records Branch, Office of the Secretary, NRC–31;

(i) Special Injury File, NRC–33;

(j) Information Security Files and Associated Records, NRC–37;

(k) Personnel Security Files and Associated Records, NRC–39; and

(l) Facility Security Support Files and Associated Records, NRC–40.

[52 FR 760, Jan. 9, 1987]

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

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NEW BLANKET ROUTINE USES

(1) Blanket Routine Use for Disclosure to the Department of Justice for Use in Litigation:

It shall be a routine use of the records in the Commission's systems of records to disclose them to the Department of Justice when—

(a) The Commission, or any component thereof, or

(b) Any employee of the Commission in his or her official capacity, or

(c) Any employee of the Commission in his or her individual capacity where the Commission has agreed to represent the employee, or

(d) The United States, where the Commission determines that litigation is likely to affect the Commission or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Commission to be relevant and necessary to the litigation, provided, however, that in each case, the Commission determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

(2) Blanket Routine Use for Commission Disclosure in Litigation:

It shall be a routine use of the records contained in the systems of records maintained by the Commission to disclose them in a proceeding before a court or adjudicative body before which the Commission is authorized to appear, when—

(a) The Commission, or any component thereof, or

(b) Any employee of the Commission in his or her official capacity, or

(c) Any employee of the Commission in his or her individual capacity where the has agreed to represent the employee, or

(d) The United States, where the Commission determines that litigation is likely to affect the Commission or any of its components, is a party to litigation or has an interest in such litigation, and the Commission determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the Commission determines that disclosure of the records to a court or adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

OSHRC-1

System name: Travel Records-OSHRC.

System location: Office of Financial Management, OSHRC, 1825 K Street NW., Washington, D.C. 20006.

Categories of individuals covered by the system: Names of persons who use OSHRC funds for travel.

Categories of records in the system: This system of records shows all places to which travel was accomplished and the costs of such travel including subsistence costs.

Authority for maintenance of the system: 29 U.S.C. 651 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system of records is used for budgetary purposes within the agency and for reporting to Members of Congress and other agencies when appropriate.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in folders.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained.

Safeguards: Access to and use of such records are limited to those persons whose official duties require such access.

Retention and disposal: The records are maintained indefinitely.

System manager(s) and address: Director, Office of Financial Management, OSHRC, 1825 K Street NW., Washington, D.C. 20006.

Notification procedure: Individuals interested in inquiring about their records should notify: Executive Director, OSHRC, 1825 K Street NW., Washington, D.C. 20006.

Record access procedures: Individuals who wish to gain access to their records should notify in writing, including their name, the Executive Director.

Contesting record procedures: individuals who wish to contest their records should notify in writing, including their name, the Executive Director.

Record source categories: Information in this system of records comes from the individual to whom it applies.

OSHRC-2

System name: Mailing Lists for News Releases, Speeches, Reports-OSHRC.

System location: Office of Information and Publication, 1825 K Street NW., Washington, D.C. 20006.

Categories of individuals covered by the system: This system contains the names of all persons who routinely are sent information on OSHRC.

Categories of records in the system: This system contains information relating to the individual's address, business affiliation, and the information he desires to receive.

Authority for maintenance of the system: 29 U.S.C. 651 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used to mail information relating to case dispositions, speeches, and statistical reports.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored on mag tape and on labels.

Retrievability: These records are indexed by the names of the individual on whom they are maintained.

Safeguards: Access to and use of these records are limited to those persons whose official duties requires such access.

Retention and disposal: These records are maintained indefinitely unless the individuals requests that his/her reference be deleted and then that reference is disposed immediately.

System manager(s) and address: Director of Information, OSHRC, 1825 K Street NW., Washington, D.C. 20006.

Notification procedure: Individuals interested in inquiring about their records should notify: Executive Director, OSHRC, 1825 K Street NW., Washington, D.C. 20006.

Record access procedures: Individuals who wish to gain access to their records should notify in writing, including their name, the Executive Director.

Contesting record procedures: Individuals who wish to contest their records should notify in writing, including their name, the Executive Director.

Record source categories: Information in this system either comes from the individual to whom it applies or was derived from private source directories.

OSHRC-3

System name: Cases Pending With the Commissioners.

System location: Office of the Executive Secretary, 1825 K Street NW., Washington, D.C. 20006.

Categories of individuals covered by the system: Commission members formerly or currently employed by OSHRC who call cases for review and issue decisions.

Categories of records in the system: This system identifies the Commissioner who has directed a case for review. It lists: (1) The case name and docket number; (2) the petitioner and date of petition; (3) the date of a direction for review; (4) the dates parties file briefs; and (5) the months from both the notice of contest and direction for review.

Authority for maintenance of the system: 29 U.S.C. 651 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records may be used:

a. By Commission personnel working with cases under review.

b. To respond to a member of the public concerning the status of a case under review.

c. As a date source to make management decisions as to case processing activities.

d. For statistical and budgetary purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic disk and in binders.

Retrievability: Records are indexed by docket number.

Retention and disposal: These records are retained permanently on magnetic disk. Information in binders is retained one year.

System manager(s) and address: Executive Secretary, OSHRC, 1825 K Street NW., Washington, D.C. 20006.

Notification procedure: Individuals interested in inquiring about their records should notify: Executive Director, OSHRC, 1825 K Street NW., Washington, D.C. 20006.

Record access procedures: Individuals who wish to gain access to their records should notify in writing, including their name, the Executive Director.

Contesting record procedures: Individuals who wish to contest their records should notify in writing, including their name, the Executive Director.

Record source categories: Information in this system either comes from the individual to whom it applies, or is derived from information he supplied or by the parties who appear before the Commission.

OSHRC-4

System name: Judge Report on Pending Cases.

System location: Office of the Executive Secretary, OSHRC, 1825 K Street NW., Washington, D.C. 20006.

Categories of individuals covered by the system: This system summarizes the status of all cases currently pending before the Commission's Administrative Law Judges.

Categories of records in the system: This system shows the Judge's name and pertinent information about each case assigned to him including the scheduled dates for a hearing; the number of times the hearing was rescheduled and the time span between dates; the opening and closing dates of hearing and the number of hearing days; the receipt date of transcripts and the number of transcript pages; dates of settlement; dates briefs are filed; number of days since assignment; and notations for cases assigned for more than 180 days.

Authority for maintenance of the system: 29 U.S.C. 651 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This system is used by Administrative Law Judges and other Commission employees for administrative purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic disk and in binders.

Retrievability: Records are indexed by docket number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: These records are retained permanently on magnetic disk. The written records pertaining to each Judge are given to the Judge and disposed of by the Judge. Information in binders is retained one year.

System manager(s) and address: Executive Secretary, OSHRC, 1825 K Street NW., Washington, D.C. 20006.

Notification procedure: Individuals interested in inquiring about their records should notify: Executive Director, OSHRC, 1825 K Street NW., Washington, D.C. 20006.

Record access procedures: Individuals who wish to gain access to their records should notify in writing, including their name, the Executive Director.

Contesting record procedures: Individuals who wish to contest their records should notify in writing, including their name, the Executive Director.

Record source categories: Information in the system either comes from the individual to whom it applies, or is derived from information he or the Chief Administrative Law Judge supplied or by the parties who appear before the Commission.

OSHRC-5

System name: Judge Summary Report.

System location: Office of the Executive Secretary, OSHRC, 1825 K Street NW., Washington, D.C. 20006.

Categories of individuals covered by the system: OSHRC Administrative Law Judges currently employed who are assigned to hear and decide case.

Categories of records in the system: This system contains the name of each OSHRC judge, the number of cases greater than 180 days on the judge's docket, the number of cases pending for each judge, the number of cases pending for all judges, the number of settlements, and the region for each judge.

Authority for maintenance of the system: 29 U.S.C. 651 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used by the Chairman and the Chief Administrative Law Judge for administrative purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic disk and in binders.

Retrievability: Records are indexed by judge number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: These records are retained permanently on magnetic disk. Information in binders is retained one year.

System manager(s) and address: Executive Secretary, OSHRC, 1825 K Street NW, Washington, D.C. 20006.

Notification procedure: Individuals interested in inquiring about their records should notify: Executive Director, OSHRC, 1825 K Street NW, Washington, D.C. 20006.

Record access procedures: Individuals who wish to gain access to their records should notify in writing, including their name, the Executive Director.

Contesting record procedures: Individuals who wish to contest their records should notify in writing, including their name, the Executive Director.

Record source categories: Information in this system either comes from the individual or is derived from information he or the Chief Administrative Law Judge supplied or by the parties who appear before the Commission.

OSHRC-6

System name: Applications for Employment-OSHRC.

System location: Personnel Office, 1825 K Street NW, Washington, D.C. 20006.

Categories of individuals covered by the system: All those desiring employment with OSHRC who have submitted a Form 171 or resume.

Categories of records in the system: This system contains information relating to birth date, veteran preference, tenure, past and present salaries, grades and position titles, awards and other information relating to the status of the individual, as well as education and test scores.

Authority for maintenance of the system: 5 U.S.C. Sections 3301; 1302.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used to refer applications to those sections within the agency having position vacancies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in folders.

Retrievability: These records are indexed by the names of the applicants.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: The records are maintained up to one year and then are destroyed.

System manager(s) and address: Personnel Director, OSHRC, 1825 K Street NW, Washington, D.C. 20006.

Notification procedure: Individuals interested in inquiring about their records should notify: Executive Director, OSHRC, 1825 K Street NW, Washington, D.C. 20006.

Record access procedures: Individuals who wish to gain access to their records should notify in writing, including their name, the Executive Director.

Contesting record procedures: Individuals who wish to contest their records should notify in writing, including their name, the Executive Director.

Record source categories: Information in this system comes from the individual to whom it applies.

OSHRC-8

System name: Payroll Records-OSHRC.

System location: General Services Administration, Region 3 Office; copies held by the Commission. (GSA holds records for the Commission under contract.)

Categories of records in the system: Varied payroll records, including, among other documents, time and attendance cards; payment vouchers; comprehensive listing of employees; health benefits records, requests for deductions; tax forms, W-2 forms, overtime requests; leave data; retirement records. Records are used by Commission and GSA employees to maintain adequate payroll information for Commission employees, and otherwise by Commission and GSA employees who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally. Also, 29 U.S.C. 651, et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix. Records also are disclosed to GAO for audits; to the Internal Revenue Service for investigation; and to private attorneys, pursuant to a power of attorney.

A copy of an employee's Department of the Treasury Form W-2, Wage and Tax Statement, also is disclosed to the State, city, or other local jurisdiction which is authorized to tax the employee's compensation. The record will be provided in accordance with a withholding agreement between the State, city, or other local jurisdiction and the Department of the Treasury pursuant to 5 U.S.C. 5516, 5517, or 5520, or, in the absence thereof, in response to a written request from an appropriate official of the taxing jurisdiction to the OSHRC Director of Personnel. The request must include a copy of the applicable statute or ordinance authorizing the taxation of compensation and should indicate whether the authority of the jurisdiction to the tax the employee is based on place of residence, place of employment, or both.

Pursuant to a withholding agreement between a city and the Department of the Treasury (5 U.S.C. 5220), copies of executed city tax withholding certificates shall be furnished the city in response to written request from an appropriate city official to the Director of Personnel.

In the absence of a withholding agreement, the Social Security number will be furnished only to a taxing jurisdiction which has furnished this agency with evidence of its independent authority to compel disclosure of the Social Security Number, in accordance with Section 7 of the Privacy Act, Pub. L. 93-579.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microfilm.

Retrievability: Social Security Number.

Safeguards: Stored in guarded building; OSHRC copies stored in secure room and locked file drawers; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Director of Personnel, Occupational Safety and Health Review Commission, 1825 K Street NW, Washington, D.C. 20006.

Notification procedure: Individuals interested in inquiring about their records should notify: Executive Director, OSHRC, 1825 K Street NW, Washington, D.C. 20006.

Record access procedures: Individuals who wish to gain access to their records should notify in writing, including their name, the Executive Director.

Contesting record procedures: Individuals who wish to contest their records should notify in writing, including their name, the Executive Director.

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information compiled by Commission employees performing administrative duties.

OSHRC-9

System name: Cases Pending in the Decisional Process after Oral Decision.

System location: Office of the Executive Secretary, 1825 K Street, NW, Washington, D.C. 20006.

Categories of individuals covered by the system: Commission members formerly or currently employed by OSHRC who call cases for review and issue decisions.

Categories of records in the system: This system identifies cases pending after a Commission meeting. It identifies the Commissioner who directed the case for review together with the opinions or comments filed by the Commissioners as well as the dates of filing.

Authority for maintenance of the system: 29 U.S.C. 651 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used by Commission members and their staffs in processing cases under review. The records are used to determine the status of a case after a vote has been taken at a Commission meeting.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on magnetic disk and in binders.

Retrievability: Records are indexed by docket number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: These records are retained permanently on magnetic disk. Information in binders is retained one year.

System manager(s) and address: Executive Secretary, OSHRC, 1825 K Street, NW, Washington, D.C. 20006.

Notification procedure: Individuals interested in inquiring about their records should notify: Executive Director, OSHRC, 1825 K Street NW, Washington, D.C. 20006.

Record access procedures: Individuals who wish to gain access to their records should notify in writing, including their name, the Executive Director.

Contesting record procedures: Individuals who wish to contest their records should notify in writing, including their name, the Executive Director.

Record source categories: Information in this system is derived from the individual to whom it applies or is derived from the official minutes of Commission meetings and other records submitted to the Office of the Executive Secretary.

OSHRC-10

System name: Cases Acted on by Judge.

System location: Office of the Executive Secretary, OSHRC, 1825 K Street, NW, Washington, D.C. 20006.

Categories of individuals covered by the system: Administrative Law Judges currently employed by the Commission.

Categories of records in the system: This system contains names of the OSHRC Administrative Law Judges and gives a comparison of each with the averages of all judges of a one-month period. Comparisons are made for the number of cases assigned, the number of trials held, the average days per trial, the number of heard and unheard cases, the average elapsed days for heard and unheard cases that are completed, and the number of cases pending at the end of a time period together with the average days pending.

Authority for maintenance of the system: 29 U.S.C. 651 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used by the Chairman and the Chief Administrative Law Judge for administrative purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system.

Storage: Records are maintained on magnetic disk and in binders.

Retrievability: Records are indexed by the Judge's name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: The information used to generate these records is retained permanently. Information in binders is retained one year.

System manager(s) and address: Executive Secretary OSHRC, 1825 K Street, NW, Washington, D.C. 20006.

Notification procedure: Individuals interested in inquiring about their records should notify: Executive Director, OSHRC, 1825 K Street N.W., Washington, D.C. 20006.

Record access procedures: Individuals who wish to gain access to their records should notify in writing, including their name, the Executive Director.

Contesting record procedures: Individuals who wish to contest their records should notify in writing, including their name, the Executive Director.

Record source categories: Information in this system either comes from the individual to whom it applies or is derived from information the individual judge, other judges, or the Chief Administrative Law Judge have supplied or by the parties who appear before the Commission.

OSHRC-11

System name:

Cases pending in General Counsel's Office.

System location:

Office of the Executive Secretary, OSHRC, Room 401, 1825 K Street, NW, Washington, D.C. 20006

Categories of individuals covered by the system:

OSHRC attorneys (including supervisory attorneys) who have been assigned cases by OGC.

Categories of records in the system:

This system contains records of cases before the Commission which have been assigned to OGC for processing. It identifies the case by name and docket number, identifies attorneys (including supervising attorneys) who most recently have been assigned to work on the case, and contains the most recent dates of the various stages in the progress of the case, starting with assignment to OCG and ending with issuance of a decision.

Authority for maintenance of the system:

29 U.S.C. 661(d)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records are used by the General Counsel and his staff to make management decisions with respect to case processing activities. These records are not disseminated outside of the Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained on magnetic disk for reproduction in report form.

Retrievability:

A record is retrievable by case name, docket number, date of case activity, name of attorney or supervising attorney, or division of OGC.

Safeguards:

Reports generated from this system are stored in file cabinets. Magnetic disks require a key for access. Access to and use of the records are limited to those whose official duties require such access.

Retention and disposal:

Information on magnetic disks are retained permanently. Reports generated from the system are kept for as long as they are needed for case management purposes.

System manager(s) and address:

Executive Secretary, OSHRC, Room 401, 1825 K Street, NW, Washington, D.C. 20006.

Notification procedure:

Individuals interested in inquiring about records should notify: Executive Director, OSHRC, Room 409, 1825 K Street, NW, Washington, D.C. 20006.

Record access procedures:

Individuals who wish to gain access to their records should notify in writing, including their name, the Executive Director.

Contesting record procedures:

Same as above.

Record source categories:

Information in this system is derived from the individual to whom it applies or is derived from case processing records maintained by the Office of the Executive Secretary and OGC.

Systems exempted from certain provisions of the act:

None.

Appendix—Occupational Safety and Health Review Commission

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract or the issuance of a license, grant or other benefit.

A record from this system or records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Office of Personnel Management in accordance with the agency's responsibility for evaluation and oversight of federal personnel management.

A record from this system of records may be disclosed to officers and employees of a federal agency for purposes of audit.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

A record of this system of records may be disclosed as a routine use to a Member of Congress or to a Congressional staff member in response to a request from the individual about whom the record is maintained.

A record from this system of records may be disclosed to officers and employees of the General Services Administration in connection with administrative services provided to this Agency under agreement with GSA.

Title 29—Labor

CHAPTER XX—OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

PART 2400—REGULATIONS IMPLEMENTING THE PRIVACY ACT

Sec.

2400.1 Purpose and scope.
2400.2 Description of agency.
2400.3 Delegation of authority.
2400.4 Collection and disclosure of personal information.
2400.5 Notification.
2400.6 Procedures for requesting records.
2400.7 Procedures for requesting amendment.
2400.8 Schedule of fees.
2400.9 Exemptions.

Authority: Sec. 3(f), Privacy Act of 1974 (5 U.S.C. 552a(f), 88 Stat. 1896, 1900), and 5 U.S.C. 553.

Source: 44 FR 3968, Jan. 19, 1979, unless otherwise noted.

§ 2400.1 Purpose and scope.

The purpose of the provisions of this part is to provide procedures to implement the Privacy Act of 1974 (5 U.S.C. 552a). The following provisions are applicable only to such items of information as relate to the agency or are within its custody. The Commission's custody encompasses all information which is kept by an agent by contract with the agency. They are not applicable to the rights of parties appearing in adversary proceedings before the Commission to obtain discovery from an adverse party. Such matters are governed by the Commission's rules of procedure which are published at 29 CFR 2200.1 *et seq.* This part is intended to protect individual privacy, and affects all personal information collection and usage activity of the agency.

§ 2400.2 Description of agency.

The Occupational Safety and Health Review Commission (OSHRC) adjudicates contested enforcement actions under the Occupational Safety and Health Act of 1970 (29 U.S.C. 651–677). Decisions of the Commission on such actions are issued only after the parties to the case are afforded an opportunity for a hearing in accordance with Section 554 of Title 5, United States Code. All such hearings are conducted by an OSHRC Administrative Law Judge at a place convenient to the parties and are open to the public. Each Commission member has the authority to direct that a decision of a Judge be reviewed by the full Commission before becoming a final order.

§ 2400.3 Delegation of authority.

(a) The Executive Director shall insure agency-wide compliance with this policy.

(b) Custodians are responsible for adherence to this part within their respective units and in particular for their collection, use and disclosure of personal information, and for affording individuals the right to inspect, obtain copies of and correct records concerning them. They are responsible for reporting the existence of personal records systems, changes to the contents of those systems and changes of routine use to the Executive Director, and also for establishing the relevancy of information within those systems.

§ 2400.4 Collection and disclosure of personal information.

(a) The following rules govern the collection of personal information throughout OSHRC operations:

(1) The OSHRC shall: (i) Solicit, collect and maintain only such personal information as is relevant and necessary to accomplish a purpose required by statute or Executive Order.

(ii) Collect information, to the greatest extent practicable, directly from the subject individual when such information may result in adverse determinations about an individual's rights, benefits or privileges.

(iii) Inform any individual requested to disclose personal information whether that disclosure is mandatory or voluntary, by what authority it is solicited, the principal purposes for which it is intended to be used, the routine uses which may be made of it, and any penalties or consequences known to the OSHRC which shall result to the individual from such non-disclosure.

(2) OSHRC shall not discriminate against any individual who fails to provide personal information unless that information is required or necessary for the conduct of the system or program in which the individual desires to participate. See § 2400.4(a)(1)(i).

(3) No information shall be collected or maintained which describes how individuals exercise rights guaranteed by the First Amendment unless the Commission specifically determines that such information is relevant and necessary to carry out a statutory purpose of the OSHRC, and the collection is expressly authorized by statute or by the individual about whom the record is maintained.

(4) OSHRC shall not require disclosure of any individual's Social Security account number or deny a right, privilege or benefit because of the individual's refusal to disclose the number unless disclosure is required by Federal law.

(b) Disclosures. (1) Limitations. OSHRC shall not disseminate personal information unless reasonable efforts have been made to assure that the information is accurate, complete, timely and relevant and

(i) The individual to whom the record pertains has requested in writing that the information be disseminated, or

(ii) It has obtained the prior written consent of the individual to whom the record pertains, or

(iii) The dissemination is in accordance with paragraph (b)(2) of this section.

(2) Dissemination of personal information may be made:

(i) To a person pursuant to a requirement of the Freedom of Information Act (5 U.S.C. 552);

(ii) To those officers and employees of OSHRC who have a need for such information in the performance of their duties;

(iii) For a routine use as contained in the system notices published in the **Federal Register;**

(iv) To a recipient who has provided adequate advance written assurance that the information shall be used solely as a statistical reporting or research record, and to whom the information is transferred in a form that is not individually identifiable;

(v) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of Title 13, U.S. Code;

(vi) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(vii) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual, if upon such disclosure notification is transmitted to the last known address of such individual;

(viii) To a federal agency or an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity, if such activity is authorized by law and if the head of the agency or instrumentality has made a written request to the OSHRC specifying the particular portion of the record desired and the law enforcement activity for which the record is sought;

(ix) To either House of Congress or its committees or subcommittees to the extent of matter within their jurisdiction;

(x) To the Comptroller General or any of his authorized representatives in the course of the performance of the duties of the General Accounting Office;

(xi) Pursuant to the order of a court of competent jurisdiction;

(xii) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the written request of that individual. The consent implied from such a written request applies only to congressional inquiries.

(3) Employee credit references. The Personnel Office shall verify the following information provided by an employee to a credit bureau or commercial firm from which an employee is seeking credit: Length of service, job title, grade, salary, tenure of employment, and Civil service status.

(4) Employee job references. Prospective employers of an OSHRC employee or a former OSHRC employee may be furnished with the information in § 2400.4(b)(3) above, in addition to the date and reason for separation if applicable, upon the request of the employee or former employee.

(c) Correction disclosure. Any person or other agency to which a personal record has been or is to be disclosed shall be informed of any corrections or be provided copies of statements of dispute, and notifications specifying the portions of the record relating thereto affecting the accuracy, timeliness or relevance of that personal record.

(d) Record of disclosure. (1) An accurate accounting of each disclosure shall be kept in all instances except those in which disclosure is made to OSHRC employees in the performance of their duties or is required by the Freedom of Information Act (5 U.S.C. 552), in conformance with Section 552a(c) of the Privacy Act.

(2) The accounting shall be maintained for at least five (5) years or the life of the record, whichever is longer.

(3) The accounting shall be made available to the individual named in the record upon inquiry, except for disclosures made pursuant to paragraph (b)(2)(viii) of this section relating to law enforcement activities.

§ 2400.5 Notification.

(a) Notification of systems. The following procedures permit individuals to determine the types of personal records systems maintained by OSHRC.

(1) Upon written request, OSHRC shall notify any individual whether a specific system named by him contains a record pertaining to him. See § 2400.6 for suggested form of request.

(2) OSHRC shall publish annually in the **Federal Register** a notice of existence and character of all personal systems of records. This notice shall contain the following information:

(i) Name and location of the system,

(ii) Nature and purposes of the system,

(iii) Categories of individuals on whom records are maintained and categories of records generally maintained in the system,

(iv) Confidentiality requirements and the extent to which access controls apply to such information,

(v) OSHRC policies and standards regarding the safeguarding and disclosure of information, retrievability of information, information storage, duration of retention of information, and disposal of such information from the system,

(vi) Each routine use made by OSHRC of the personal information contained in the system, including the categories of users and the purpose of the use,

(vii) Title and official address of the custodian,

(viii) Procedures by which an individual can be informed if a system contains personal information pertaining to himself, gain access to such information, and contest the content, accuracy, completeness, timeliness, relevance and necessity for retention of the information,

(ix) Categories of sources of such personal information,

(x) System status—either developmental or operational.

(b) Notification of disclosure. OSHRC shall make reasonable efforts to serve notice on an individual before any personal information is made available to any person under compulsory legal process when such process becomes a matter of public record.

(Also see § 2400.4(b) (1)(ii) and (2)(vii).)

(c) Notification of amendment. (See § 2400.7 relating to amendment of records upon request.)

(d) Notification of new use. Any new or revised use of personal information maintained by OSHRC shall be published in the **Federal Register** thirty (30) days before such use becomes operational. Public views may then be submitted to the Executive Director.

(e) Notification of exemptions. OSHRC shall publish in the **Federal Register** its intent to exempt any system of records and shall specify the nature and purpose of that system.

§ 2400.6 Procedures for requesting records.

The purpose of this section is to provide procedures by which an individual may have access to personal information within a comprehensive format.

(a) Submission of requests for access—(1) Manner. An individual seeking information regarding the contents of records systems or access to records about himself in a system of records should present a written request to that effect either in person or by mail to the Executive Director, OSHRC, 1825 K Street, NW., Washington, D.C. 20006. Access to OSHRC records maintained in National Archives and Records Administration Centers may be obtained in accordance with the regulations issued by the General Services Administration.

(2) Specification of records sought. Requests for access to records shall describe the nature of the record sought, the approximate dates covered by the record, and the system in which the record is thought to be included as described in the "Notification" for that system as published in the **Federal Register.** The requester should also indicate whether he wishes to review the record in person or obtain a copy by mail. If the information supplied is insufficient to locate or identify the record, the requester shall be notified promptly and, if necessary, informed of additional information required. Upon request, OSHRC also shall disclose to the individual an accounting of any disclosures made from the individual's record.

(3) Period for response. Upon receipt of an inquiry the Executive Director shall respond promptly to the request and no later than 10 days from receipt of such inquiry.

(b) Verification of identity. The following standards are applicable to any individual who requests records concerning himself.

(1) An individual seeking access to records about himself in person may establish his identity by the presentation of a single document bearing a photograph (such as a passport, employee identification card, or valid driver's license) or by the presentation of two items of identification which do not bear a photograph but do bear both a name and address (such as a valid driver's license, or credit card).

(2) An individual seeking access to records about himself by mail shall establish his identity by a signature, address, date of birth, place of birth, employee identification number, if any,

and one other identifier such as a photocopy of an identifying document.

(3) An individual seeking access to records about himself by mail or in person who cannot provide the necessary documentation of identification may provide a notarized statement swearing or affirming to his identity and to the fact that he understands the penalties for false statements pursuant to 18 U.S.C. 1001. Forms for such notarized statements may be obtained on request from the Executive Director.

(c) Verification of guardianship. The parent or guardian of a minor or a person judicially determined to be incompetent and seeking to act on behalf of such minor or incompetent shall, in addition to establishing his own identity, establish the identity of the minor or other person he represents as required in paragraph (b) of this section and establish his own parentage or guardianship of the subject of the record by furnishing either a copy of a birth certificate showing parentage or a court order establishing the guardianship.

(d) Accompanying persons. An individual seeking to review records about himself may be accompanied by another individual of his own choosing. Both the individual seeking access and the individual accompanying him shall be required to sign the required form indicating that OSHRC is authorized to discuss the contents of the subject record in the presence of both individuals.

(e) Special rules for medical records. Medical records shall be disclosed to the requester to whom they pertain unless the Executive Director, in consultation with a medical doctor named by the requesting individual, determines that access to such record could have an adverse effect upon such individual. In such a case, the Executive Director shall transmit such information to the named medical doctor.

(f) When compliance is possible. (1) The Executive Director shall inform the requester of the determination to grant the request and shall make the record available to the individual in the manner requested, that is, either by forwarding a copy of the information to him or by making it available for review, unless:

(i) It is impracticable to provide the requester with a copy of a record, in which case the requester shall be so notified, and, in addition, be informed of the procedures set forth in paragraph (b)(2) of this section, or (ii) the responsible official has reason to believe that the cost of a copy of a record is considerably more expensive than anticipated by the requester, in which case he shall notify the requester of the estimated cost, and ascertain whether the requester still wishes to be provided with a copy of the information.

(2) Where a record is to be reviewed by the requester in person, the disclosure officer shall inform the requester in writing of: (i) The date on which the record shall become available for review, the location at which it may be reviewed, and the hours for inspection; (ii) the type of identification that shall be required in order for him to review the record; (iii) such person's right to have a person of his own choosing accompany him to review the record; and (iv) such person's right to have a person other than himself review the record.

(3) If the requester seeks to inspect the record without receiving a copy, he shall not leave OSHRC premises with the record and shall sign a statement indicating he has reviewed a specific record or category of record.

(g) Response when compliance is not possible. A reply denying a written request to review a record shall be in writing signed by the Executive Director or other appropriate official and shall be made only if such a record does not exist or does not contain personal information relating to the requester, or is exempt. This reply shall include a statement regarding the determining factors of denial, and the right to obtain judicial review in a district court of the United States.

§ 2400.7 Procedures for requesting amendment.

(a) Submission of requests for amendment. Upon review of an individual's personal record, that individual may submit a request to amend such record. This request shall be submitted in writing to the Executive Director and shall include a statement of the amendment requested and the reasons therefor, e.g., relevance, accuracy, timeliness or completeness of the record.

(b) Action to be taken by the Executive Director. Upon receiving an amendment request, he or she shall promptly:

(1) Acknowledge in writing within ten (10) working days the receipt of the request.

(2) Make such inquiry as is necessary to determine whether the amendment is appropriate, and

(3) Correct or eliminate any information that is found to be incomplete, inaccurate, not relevant to a statutory purpose of OSHRC, or not timely and notify the requester when this action is complete, or

(4) Notify the requester of a determination not to amend and of the individual's right to appeal not later than thirty (30) working days after receipt of a request to amend.

(c) Appeal procedure. (1) If a request to inspect, copy or amend a record is denied, in whole or in part, or if no determination is made within the period prescribed by this part, the requester may appeal to the Chairman, OSHRC, 1825 K Street, NW, Washington, D.C. 20006.

(2) The requester shall submit his appeal in writing within thirty (30) days of the date of denial, or within ninety (90) days of such request if the appeal is from a failure of the Executive Director to make a determination. The letter of appeal should include, as applicable:

(i) Reasonable identification of the record to which access was sought or the amendment of which was requested.

(ii) A statement of the OSHRC action or failure to act being appealed and the relief sought.

(iii) A copy of the request, the notification of denial and of any other related correspondence.

(3) The Chairman shall make his final determination not later than thirty (30) days from the date of the request, unless he extends the time for good cause to be shown by him but not to exceed ninety (90) days from the date of the request. Any record found on appeal to be not complete, accurate, relevant, or timely, shall within thirty (30) working days of the date of such findings be appropriately amended.

(4) The decision of the Chairman constitutes the final decision of OSHRC on the right of the requester to inspect, copy, change or update a record. The decision on the appeal shall be in writing and, in the event of a denial, shall set forth the reasons for such denial and state the individual's right to obtain judicial review in a district court. An indexed file of the agency decisions on appeal shall be maintained by the Executive Director.

(d) Submission of statement of disagreement. If the final decision does not satisfy the requester, any statement of reasonable length, provided by that individual, setting forth a position regarding the disputed information, shall be accepted and included in the relevant personal record.

(e) Availability of assistance in exercising rights. The Executive Director is available to provide an individual with assistance in exercising rights pursuant this part.

§ 2400.8 Schedule of fees.

(a) Policy. The purpose of this section is to establish fair and equitable fees to permit reproduction of records for concerned individuals.

(b) Reproduction. (1) For reproducing any paper or micrographic record or publication, the fee is 0.10 cents per page. No charge shall be made if the total fee authorized by this Part in compliance with a request or series of related requests is less than 3.00 dollars.

(2) OSHRC shall not normally furnish more than one copy of any record.

(c) Limitations. No fee shall be charged to any individual for the process of retrieving, or amending records.

§ 2400.9 Exemptions.

(a) Subsections 552a (j) and (k) of Title 5, United States Code, empower the Chairman to exempt systems of records meeting certain criteria from various other subsections of Section 552a. With respect to systems of records so exempted, nothing in this Part shall require compliance with any provisions hereof implementing any subsections of Section 552a from which those systems may properly be and have been exempted.

(b) [Reserved for specific exemptions.]

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OVERSEAS PRIVATE INVESTMENT CORPORATION

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OPIC—1

System name: Applicants (General)—OPIC.

System location:

Office of Personnel and Administration
Overseas Private Investment Corporation
1129 20th Street, NW,
Washington, D.C. 20527

Categories of individuals covered by the system: Past and current applicants for employment by the Corporation.

Categories of records in the system: Contains (i) applications for employment; (ii) letters concerning employment; (iii) other information relevant to employment; (iv) interview sheets; (v) letters of recommendation; (vi) file on the status or disposition of all applications.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the functions for which records are collected and maintained or for related personnel management functions or manpower studies. Used to (i) furnish candidates for job vacancies; (ii) provide information in the record to the personnel office of another federal agency at the request of said federal agency upon the transfer or potential transfer to that federal agency of the individual to whom the information in the record pertains.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders and cardex file.

Retrievability: Indexed alphabetically be surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Files on applicants retained as long as applicant is employment prospect but no longer than two (2) years. File on status and disposition retained throughout life of the Corporation. Disposed of by burning and/or by return to applicant.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Invesment Corporation
1129 20th Street, NW,
Washington, D.C. 20527
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: All sources of recruitment used by OPIC, including without limitation, responses to OPIC advertisements; referrals; walk-ins; unsolicited information from applicants; university placement offices.

OPIC—2

System name: Applicants (General)—OPIC.

System location:

Office of General Counsel
Overseas Private Investment Corporation
1129 20th Street, NW,
Washington, D.C. 20527

Categories of individuals covered by the system: Applicants for employment as attorney in the Office of the General Counsel.

Categories of records in the system: Contains (i) letters from applicants; (ii) resumes and Standard Forms 171 of applicants; (iii) intraoffice memoranda; (iv) letters from the Corporation to applicants concerning interviews, offers of employment, refusals to offer employment; (v) copies of advertisements for employment; (vi) Request and Authorization of Officials Travel forms; (vii) letters of recommendation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies. Used to select qualified attorneys for employment in the Office of the General Counsel.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in accordion file folders.

Retrievability: Indexed alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Retained as long as applicant appears interested in employment by the Corporation but in no event longer than two (2) years. Disposed of by burning and/or by return to applicant.

System manager(s) and address:

General Counsel,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527
Telephone: (202) 632-1766

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual. Persons who refer applicants.

OPIC—3

System name: Attendance and Leave Records—OPIC

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Categories of individuals covered by the system: Present employees. Former employees during first sixty (60) days following date of their separation from the Corporation.

Categories of records in the system: Contains (i) timekeeper records and payroll change slips; (ii) recurring and special payroll reports; (iii) annual leave restoration records, memoranda and special studies; (iv) special tours of duty records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in individual file folders and on cardex file.

Retrievability: Indexed alphabetically by surname.

Safeguards: Payroll change slips and timekeeper records stored in key-locked metal file cabinet. Other records stored in metal file cabinet secured by combination lock.

Retention and disposal: Retained until end of first sixty (60) days following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527,
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—4

System name: Awards—OPIC.

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Categories of individuals covered by the system: Past and current officers and employees who have received an award from the Corporation.

Categories of records in the system: Contains (i) supporting material for nomination for and grants of: Quality Increases and other honor or cash awards; (ii) copies of certificates of award granted to officers and employees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies. Used to provide information to the Director of the Civil Service Commission, or any of his or her authorized representatives, in the source of the performance of the duties of the Civil Service Commission.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Filed by category of award or incentive with information therein indexed alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Retained for first two (2) years following granting of award. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527,
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Officers, employees, records, forms and files of the Corporation.

OPIC—5

System name: Biographies of Key Employees and Board Members—OPIC.

System location:

Office of Public Affairs,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Categories of individuals covered by the system: Officers, professional staff and members of the Board of Directors of the Corporation.

Categories of records in the system: Contains biographies of officers, professional staff and members of the Board of Directors in the form of general biographies and prepared press releases.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used (i) for news releases to local, national and international communications media in connection with publicizing the role of the Corporation in furthering the development assistance objectives of the United States; (ii) in publications of the Corporation in connections with publicizing the role of the Corporation in furthering the development assistance objectives of the United States.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Indexed alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Examined every two (2) years. Biographies of individuals no longer employed by the Corporation or no longer on the Board of Directors disposed of by burning.

System manager(s) and address: Vice President for Public Affairs.

Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527,
Telephone: (202) 632-1854.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual: WHO'S WHO IN AMERICA: THE INTERNATIONAL WHO'S WHO; WORLD WHO'S WHO IN COMMERCE AND INDUSTRY; other recognized biographical directories catalogued at the Library of Congress.

OPIC—6

System name: Compensations—OPIC.

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Categories of individuals covered by the system: All employees of the Corporation.

Categories of records in the system: Contains records relating to (i) denials of within grade increases; (ii) appeals of denials of within grade increases; (iii) pay adjustments for Administratively Determined ("AD") employees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders

Retrievability: Indexed alphabetically by surname.

Retention and disposal: Records of within grade denial retained as long as individual is employed by the Corporation and during first sixty (60) days following date of individual's separation from the Corporation. Other records retained two (2) years after matter finally resolved. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—7

System name: Conduct and Discipline—OPIC.

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Categories of individuals covered by the system: All employees of the Corporation (i) against whom disciplinary action has been taken or is being taken; (ii) who have filed a grievance or an appeal in connection with a disciplinary action initiated by the Corporation.

Categories of records in the system: Contains (i) files of charges of the Corporation and supporting documents; (ii) employee's response to charges of the Corporation; (iii) notice of hearing, if contemplated, and report of hearing, if held; (iv) hearing recommendations or decision; (v) information relating to employee's grievance and appeal; (vi) conference reports.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Indexed alphabetically by surname.

Retention and disposal: Retained as long as individual is employed by the Corporation and during first sixty (60) days following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Officers, employees, records, files and forms of the Corporation.

OPIC—8

System name: Conflicts of Interest—OPIC.

System location:

Office of the General Counsel,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Categories of individuals covered by the system: All officers and employees of the Corporation (i) with a grade of GS-13 and above; (ii) holding special positions of confidence.

Categories of records in the system: Contains Statements of Employment and Financial Interest.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to provide confidential counseling on conflicts of interest regulations and potential financial conflicts between official duty and personal financial interests.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Indexed alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Retained for one (1) year after individual's date of separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Deputy General Counsel,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.
Telephone: (202) 632-1766.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual.

OPIC—9

System name: Employee Health and Life Insurance—OPIC.

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Categories of individuals covered by the system: All officers and employees of the Corporation who have had a problem in connection with health or life insurance obtained through the Corporation requiring claims assistance.

Categories of records in the system: Contains record of problems and their settlement.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

A record maintained by the Corporation to carry on its funciton may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Filed by category of insurance with information indexed therein alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Retained as long as individual is employed by the Corporation and during fist sixty (60) days following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration.
Overseas Private Investment Corporation.
1129 20th Street, NW,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—10

System name: Employment (Excepted Positions)—OPIC.

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Categories of individuals covered by the system: Past and current employees of the Corporation.

Categories of records in the system: Contains (i) copies of requests to the Civil Service Commission for establishment and/or filling of excepted positions; (ii) periodic and special reports in connection with non-competitive employment; (iii) suppporting documentation for nomination and approval of individual members of the Board of Directors of the Corporation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintanined or for related personnel management functions or manpower studies. Used to furnish the Civil Service Commission with verification of compliance with Civil Service Commission reporting requirements on Excepted Positions.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Filed by category of excepted position with information indexed therein alphabetically by surname.

Retention and disposal: Retained as long as individual is employed by the Corporation and for first sixty (60) days following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.
Telephone: (202 632-3858

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—11

System name: Evaluations—OPIC.

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Categories of individuals covered by the system: All employees of the Corporation serving under non-temporary appointment.

Categories of records in the system: Contains (i) performance evaluations; (ii) supporting material for performance ratings of unsatisfactory or outstanding; (iii) documentation of employee appeals of performance ratings.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

A record maintained by the Corporation to carry on its function may be disclosed to a congresssional office in response to an inquiry from the congressional office made at the request of the indivudual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Indexed alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Retained as long as individual is employed by the Corporation and during first sixty (60) days following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.
Telephone: (202) 632-3858

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—12

System name: Photographs-OPIC.

System location:

Office of Public Affairs,,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Categories of individuals covered by the system: Officers, employees and members of the Board of Directors of the Corporation.

Categories of records in the system: Contains (i) portrait shots (head and shoulders) of officers, employees and members of the Board of Directors; (ii) candid shots of same individuals taken while performing an official function.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Portrait shots used in releases to local, national and international communications media (i) upon appointment of individual to post with the Corporation; (ii) as supplement to biographies; (iii) when individual makes an official appearance. Candid shots used in (i) releases to local, national and international communications media in connection with publicizing the role of the Corporation in furthering the development assistance objectives of the United States; (ii) in publications of the Corporation.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Indexed alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Examined every two (2) years. Photographs of individuals no longer employed by the Corporation or no longer on the Board of Directors are disposed of by burning.

System manager(s) and address: Vice President for Public Affairs.

Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.
Telephone: (202) 632-1854

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual. Photographs taken by employees or agents of the Corporation.

OPIC—13

System name: Placement of Handicapped Individuals—OPIC.

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Categories of individuals covered by the system: Past and current employees of the Corporation who serve (served) under competitive appointment.

Categories of records in the system: Contains records and reports of placement by the Corporation of handicapped individuals.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Indexed alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Retained as long as individual is employed by the Corporation and during first sixty (60) days following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.
Telephone:(202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Officers, employees, records, files and forms of the Corporation.

OPIC—14

System name: Position Classification—OPIC.

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Categories of individuals covered by the system: All employees serving under Classification Act.

Categories of records in the system: Contains (i) appeals to the Civil Service Commission of position classification allocations; (ii) Written amendment survey reports; (iii) survey reports and classification audits.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Filed by category of position with information therein alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Audit reports retained throughout life of the Corporation; Appeals retained until one (1) year following final disposition of case. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—15

System name: Recruitment—OPIC.

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Categories of individuals covered by the system: Past and current employees of the Corporation.

Categories of records in the system: Contains (i) special reports and studies on recruitment efforts and/or recruitment needs; (ii) reemployment priority list of past and current employees of the Corporation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Filed by category of report or study with information filed therein alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Reports and studies retained three (3) years. Individual name removed from reemployment priority list two (2) years after date of separation of career employees and one (1) year after date of separation of career conditional employees. Disposed of by burning.

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.
Telephone:(202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

OPIC—16

System name: Retirement—OPIC.

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW
Washington, D.C. 20527.

Categories of individuals covered by the system: All officers and employees of the Corporation within one (1) year of retirement age or of eligibility for retirement. All former officers and employees of the Corporation who have retired within immediately preceding twelve (12) months.

Categories of records in the system: Contains (i) reports and studies on retirement; (ii) problem cases (history and settlement).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Filed chronologically with information indexed therein alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Retained for twelve (12) months following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,

Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above

OPIC—17

System name: Security and investigations—OPIC.

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
Washington, D.C. 20527.

Categories of individuals covered by the system: Officers and employees of the Corporation. Applicants for employment.

Categories of records in the system: Contains copies of requests for security clearances and for investigations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies. Used in requesting the Auditor General, Agency for International Development, to conduct an investigation or a security check on individuals.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folder.

Retrievability: Filed chronologically with information indexed therein alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Retained as long as individual is employed by the Corporation and during first sixty (60) days following date of individual's separation from the Corporation. Disposed of by burning.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Records, files, and forms of Corporation.

OPIC—18

System name: Security Violations—OPIC.

System location:

Office of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Categories of individuals covered by the system: Officers and employees of the Corporation who have committed a security violation.

Categories of records in the system: Contains (i) notice of a security violations forms: (ii) Record of Violation forms: (iii) Letters of notice of security violation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies. Used in furnishing notices of security violations to the Auditor General, Agency for International Development.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an injury from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Indexed alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Record retained one (1) year subsequent to violation. Disposed of by fire.

System manager(s) and address:

Director of Personnel and Administration,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.
Telephone: (202) 632-3858.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Security guards records, files and forms of the Corporation.

OPIC—19

System name: Travel Advances—OPIC.

System location:

Office of the Treasurer
Overseas Private Investment Corporation
Washington, D.C. 20527

Categories of individuals covered by the system: All employees of the Corporation who travel.

Categories of records in the system: Contains (i) travel advance cards; (ii) travel authorizations; (ii) return copies of travel authorizations; (iv) travel advances maintained on magnetic tape and disk (the magnetic tapes duplicate the manual files).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies. Used to properly account for funds spent. Used to provide information (either entire records or statistical data) to the Assistant Administrator, or any of his duly authorized representatives. Bureau of Program and Management Services, Agency for International Development.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders, maintained on magnetic tape and disks.

Retrievability: Indexed alphabetically by surname and random and sesquential retrieval based on coded employee number.

Safeguards: Stored in metal file cabinet secured by a combination lock and alphanumeric coding or computer files preventing direct translation. Also special entry codes are needed to access the data.

Retention and disposal: Retained for two (2) years after the date of travel authorization. Disposed of by sending to Federal Records Center. Computer transaction records maintained for four (4) years after which data files are erased.

System manager(s) and address:

Treasurer
Overseas Private Investment Corporation
1129 20th Street, NW
Washington, D.C. 20527

Notification procedures:

Same as above.

Record access procedures: Same as above.

Contesting record procedures: The individual, records, files and forms of the Corporation.

OPIC—20

System name: Travel Obligations—OPIC.

System location:

Office of the Treasurer,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Categories of individuals covered by the system: All employees of the Corporation.

Categories of records in the system: Contains (i) travel authorization forms; (ii) reimbursement claims of employees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and for the production of summary descriptive statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions or manpower studies. Used to properly account for funds spent. Used to provide information to the Assistant Administrator, or any of his duly authorized representatives. Bureau for Program and Management Services. Agency for International Development in the course of the performance of the duties of the Agency for International Development.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Retrievability: Indexed alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Retained for two (2) years afte the date of travel authorization. Disposed of by sending to Federal Records Center.

System manager(s) and address:

Treasurer,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual, records, files and forms of the Corporation.

OPIC—21

System name: Directors (Current)—OPIC.

System location:

Office of the Corporate Secretary,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527

Categories of individuals covered by the system: Current directors of the Corporation.

Categories of records in the system: Contains (i) resumes; (ii) date of appointment to Board of Directors; (iii) date of swearing in.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to distribute to the general public, communications media, the Board of Directore, officers and employees of the Corporation general biographical information on Board members.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Indexed alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Retained throughout life of Corporation.

System manager(s) and address:

Corporate Secretary,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527
Telephone: (202) 632-1839.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual. Files of the Corporation.

OPIC—22

System name: Directors (Former)—OPIC.

System location:

Office of the Corporate Secretary,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527

Categories of individuals covered by the system: Former directors of the Corporation.

Categories of records in the system: Contains (i) resumes; (ii) date of appointment to Board of Directors; (iii) date of swearing in; (iv) date of separation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to distribute to the general public; communications media, the Board of Directors, officers and employees of the Corporation general biographical information on Board members.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Indexed alphabetically by surname.

Safeguards: Stored in metal file cabinet secured by combination lock.

Retention and disposal: Retained throughout life of Corporation.

System manager(s) and address:

Corporate Secretary,
Overseas Private Investment Corporation,
1129 20th Street, NW,
Washington, D.C. 20527
Telephone: (202) 632-1839

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The individual. Files of the Corporation.

OPIC—23

System name: Employees' Payroll Records—OPIC.

System location:

a.
Office of Personnel and Administration
Overseas Private Investment Corporation
1129 20th Street, NW.
Washington, D.C. 20527

b.
Office of Data Management
Agency for International Development
1975 Connecticut Avenue, NW.
Washington, D.C. 20523

c.
For Retired Files:
National Personnel Records Center
GSA
111 Winnebago Street
St. Louis, Missouri

Categories of individuals covered by the system: All employees of the Corporation.

Categories of records in the system: The Corporation's system consists of four (4) files all of which are manual files. Most of the same records held by the Corporation are also kept by the Agency for International Development as published on September 13, 1976 at 40 FR 39482. The four (4) Corporation files are described below:

a. Personnel Records File—This file consists in relevant part of the employees' S.F.-50's, copies of health benefits forms and life insurance forms.

b. Employee Payroll Costs File—This file contains the following types of records: Name, Social Security Account Number, timekeeper code, gross bimonthly earnings, retirement and health insurance deductions, FICA and FIGLA deductions.

c. Service Record File—These records contain name, Social Security Account Number, birthdate, effective date of pay change and/or suspense action pay plan grade level.

d. Time Card and Pay Cnage Slip File—This contains name, Social Security Account Number, leave severance pay, state and federal tax deductions, FICA and comments relating to bonds, leave and W-mailing address.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records are transmitted to Agency for International Development which in turn transmits them to the following:

Treasury Department for payroll purposes.

Treasury Department for issuance of savings bonds.

Civil Service Commission for retirement, health and life insurance purposes.

The Social Security Administration for Federal Insurance Compensation Act.

The Internal Revenue Service for taxable earnings and withholding purposes.

The Combined Federal Campaign for charitable contribution purposes.

American Federation of Government Employees for union dues.

The States of California, New York, Pennsylvania, Maryland, Virginia and the District of Columbia for state income purposes and to other states and other tax jurisdictions as may become necessary.

The Attorney General of the United States or his authorized representative in connection with litigation, law enforcement, or other matters under the direct jurisdiction of the Department of Justice, or carried out as a legal representative of the Executive Branch agencies.

The Internal Revenue Service for audit and inspection and investigation purposes.

The Department of Health, Education and Welfare for microfilming and producing microfiche.

A record maintained by the Corporation to carry on its function may be disclosed to a congressional office in response to an inquiry from the congressional office made at the request of the individual to whom the record pertains.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kept in file folders.

Retrievability: Indexed alphabetically by surname.

Safeguards: All records stored in key locked metal file cabinet.

Retention and disposal: (i) Personnel Records File is retained until end of first thirty (30) days following date of individual's separation from the Corporation if the individual is not thereafter employed by a Federal Agency. After the thirty (30) days, records are sent to National Personnel Records Center, GSA, 111 Winnebago Street, St. Louis, Missouri. However, if following the separation from the Corporation, the individual is employed by a Federal Agency, records are maintained until that Federal Agency requests said records from the Corporation; (ii) Employee Payroll Cost File—Retained until one (1) year following date of individual's separation from the Corporation; (iii) Service Record File—Retained until end of first two (2) years following date of individual's separation from the Corporation; (iv) Time Card and Pay Change Slip File—Retained until end of first two (2) years following date of individual's separation from the Corporation.

System manager(s) and address:

Director of Personnel and Administration
Overseas Private Investment Corporation
1129 20th Street, NW.
Washington, D.C. 20527
Telephone (202) 632-3858

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Records, files and forms of the Corporation.

Title 22-Foreign Relations

Chapter VII-Overseas Private Investment Corporation

PART 707—ACCESS TO AND SAFEGUARDING OF PERSONAL INFORMATION IN RECORDS OF THE CORPORATION

Subpart A—General

Sec.
707.11 Purpose.
707.12 Definitions.

Subpart B—Notification; Access to Records; Amendment; Fees

707.21 Requests for notification of, access to or copies of records.
707.22 Amendment of records.
707.23 Fees.

Subpart C—Exceptions

707.31 Public information.
707.32 Specific exemptions.

Authority: 5 U.S.C. 552a(f); Foreign Assistance Act of 1961 (22 U.S.C. 2191)F.

Source: 40 FR 46284, Oct. 6, 1975, unless otherwise noted.

Subpart A—General

§ 707.11 Purpose.

This Part 707 is adopted pursuant to 5 USC 552a(f) to implement the provisions of the Privacy Act of 1974, 5 USC 552a. This Part 707 establishes procedures for notifying an individual whether any system of records of the Corporation contains information pertaining to him; the times, places, and procedures to be followed by an individual seeking access to records of the Corporation containing information pertaining to him, procedures to be followed by an individual desiring the amendment of any record of the Corporation for making copies under this Part 707 of records of the Corporation containing information pertaining to him; and the fees charged by the Corporation containing information pertaining to an individual. Pursuant to 5 USC 552a(k), this Part 707 also exempts certain systems of records from some of the provisions of 5 USC 552a.

§ 707.12 Definitions.

As used in this Part 707, the terms "agency", "individual", "maintain", "record", "system of records", "statistical record", and "routine use" shall have the meaning specified for each such term in 5 U.S.C. 552a(a).

Subpart B—Notification; Access to Records; Amendment; Fees

§ 707.21 Requests for notification of, access to or copies of records.

(a) Whenever an individual desires either notification of, access to or copies of records which are maintained by the Corporation and which may contain information pertaining to said individual, he may submit such a request to the Corporation in the form specified in paragraph (b) of this section. Such request shall be addressed to the Director of Personnel and Administration and may either be mailed to the Corporation or be delivered to the receptionist at the office of the Corporation, 1129—20th Street NW., Washington, D.C. 20527, between 8:45 a.m. and 5:30 p.m., Monday thru Friday (excluding legal public holidays). Access to records maintained by the Corporation will be provided only by appointment. No officer or employee of the Corporation shall, pursuant to the provisions of this Part 707, provide any individual with access to any records maintained by the Corporation until the Corporation shall have received from such individual a written request in the form specified in paragraph (b) of this section and verification of the identity of the individual as provided in paragraph (c) of this section.

(b) Any request under this Part 707 for notification of, access to or copies of records maintained by the Corporation shall comply with the following requirements:

(1) It shall be in writing, signed by the individual, and, except in the event such requesting individual is an officer or employee of the Corporation, duly acknowledged before a notary public or other authorized public official;

(2) It shall accurately identify the records or information to which access is sought;

(3) It shall specify the date and hour such individual wishes such an appointment; and

(4) It shall specify whether the individual also wishes copies of the information pertaining to him.

(c) Prior to providing any individual either with notification of, access to or copies of any records maintained by the Corporation that contain information pertaining to said individual, the Director of Personnel and Administration shall verify the identity of such individual. In order to verify the identity of any such individual, the Director of Personnel and Administration shall require such individual to provide reasonable proof of his identity such as, by way of example and not limitation, a valid drivers license, identification card, passport, employee identification card and any other identifying information. The Director of Personnel and Administration shall deny any such request from any individual if he determines, in his sole discretion, that the evidence offered to verify the identity of such individual is insufficient to establish conclusively the identity of such individual. Upon denying any such request under this paragraph (c), the Director of Personnel and Administration shall promptly notify the individual in writing of such determination.

(d) In the event that the Director of Personnel and Administration shall decline any request submitted to the Corporation under paragraph (b) of this section because he determines under paragraph (c) of this section that the individual has not provded adequate evidence to verify his identity, said individual may, within thirty (30) days of the date of the notification thereof by the Director of Personnel and Administration, file a written appeal of such determination with the Executive Vice President of the Corporation. The decision of the Executive Vice President with respect to such appeal shall be final.

(e) Whenever an individual desires copies of any records in addition to personal access thereto, copies will be furnished upon payment of the fees prescribed in § 707.23 of this Part.

(f) The Corporation may require any individual who wishes to be accompanied by any other individual when reviewing any records made available under this Part 707 shall provide the Corporation with a signed, written statement authorizing discussion of the information contained in such records in the presence of such accompanying individual.

(g) Copies of records made available for review to any individual under this Part 707 may be released to a duly authorized representative of any such individual provided that such individual provides the Corporation with a power of attorney to such effect on behalf of said representative, signed by such individual and duly acknowledged before a notary public or other authorized public offical. The Corporation shall require any such representative to verify his identity in accordance with paragraph (c) of this section.

(h) Original or record copies of records will not be released from the files of the Corporation. Individuals will not be permitted to disturb any record files or to remove any records from the designated place of examination within the Corporation.

§ 707.22 Amendment of records.

(a) Whenever any individual desires an amendment to any record of the Corporation to correct.information in such record pertaining to him that he believes not to be accurate relevant, timely, or complete, he may submit such a request to the Corporation in the form specified in paragraph (b) of this section. Such rquest shall be addressed to the Director of Personnel and Administration and may either be mailed to the Corporation or delivered to the receptionist at the office of the Corporation, 1129—20th Street, N.W., Washington, D.C. 20527, between 8:45 a.m. and 5:30 p.m., Monday thru Friday (excluding legal public holidays). Such request shall be deemed not to have been received by the Corporation until actually delivered to it or, whenever mailed, actually received by the Chief of Personnel and Administration.

(b) Any request submitted to the Corporation under paragraph (a) of this section shall comply with the following requirements:

(1) It shall be in writing, signed by the individual, and, except in the event such requesting individual is an officer or employee of the Corporation, duly acknowledged before a notary public or other authorized public official;

(2) It shall accurately identify the records and information to be amended;

(3) It shall specify the correction requested; and

(4) It shall fully specify the basis for such individual's belief that the records and information are not accurate, relevant, timely or complete; and

(5) It shall be supported by substantial and reliable evidence sufficent to permit the Corporation to determine whether such amendment is in order. Any such request shall be deemed not to have been received by the Corporation and shall be returned without prejudice whenever the Director of Personnel and Administration determines that such request either does not describe records specifically enough to permit the staff of the Corporation to promptly locate such records or does not state the amendment requested or the basis therefor in reasonably specific language.

(c) The Director of Personnel and Administration shall acknowledge in writing the receipt of any such request to correct any records not later than ten (10) days (excluding Saturdays, Sundays and legal public holidays) after the date of the receipt of such request by the Corporation.

(d) Not later than thirty (30) days (excluding Saturdays, Sundays and official holidays) after the date of the receipt of such request by the Corporation, the Director of Personnel and Administration shall either:

(1) Make any correction of any portion of such records that he determines not to have been accurate, relevant, timely, or complete and notify the individual in writing of such correction; or

(2) Inform the individual in writing of his decision to deny any portion of such request, the reason for the refusal, and the right of the individual to request a review thereof by the Executive Vice President of the Corporation under paragraph (e) of this section.

(e) In the event the Director of Personnel and Administration shall deny any portion of any individual's request to amend records, such individual may within thirty (30) days of the date of the notification of such denial, file a written appeal of such decision with the Executive Vice President of the Corporation. Such appeal may be supported by any additional written evidence and statements deemed appropriate by the individual.

§ 707.23 Fees.

The fees to be charged by the Corporation for making copies of any records provided to any individual under this Part 707 shall be twenty (20) cents per page.

Subpart C—Exceptions

§ 707.31 Public information.

Nothing in this Part 707 shall be construed as a waiver by the Corporation, either in whole or in part, of the provisions of 5 USC 552(b) or 18 USC 1905. The Corporation, to the maximum extent permitted by law, may delete information from copies of any records furnished to any individual under this Part 707.

§ 707.32 Specific exemptions.

The provisions of 5 USC 552a (c)(3), (d), (e)(1), (e)(4) (G), (H) and (I) and (f) shall not apply to any system of records maintained by the Corporation that is—

(a) Subject to the provisions of 5 USC 552(b)(1);

(b) Investigatory material compiled for law enforcement purposes other than those specified in 5 USC 552a (j)(2);

(c) Required by statute to be maintained and used solely as statistical records;

(d) Investigatory material compiled solely for the purpose of determining suitability, eligibility or qualifications for Federal civilian employment, military service, Federal contracts or access to classified information, but only to the extent that the Corporation may determine, in its sole discretion, that the disclosure of such material would reveal the identity of the source who, subsequent to September 27, 1975, furnished information to the Government under an express promise that the identity of the source would be held in confidence or, prior to such date, under an implied promise to such effect; and

(e) Testing or examination materials used solely to determine individual qualifications for appointment or promotion in the Federal service and the Corporation determines, in its sole discretion, that disclosure of such materials would compromise the fairness of the testing or examination process.

PANAMA CANAL COMMISSION

Alphabetical Title Listing of Panama Canal Commission's Notice of Systems of Records

PCC/AE-1 Executive Personnel Financial Disclosure Reports.
PCC/WO/AE-2 Panama Canal Commission Board of Directors Biographical and Correspondence Files.
PCC/ADSA-1 Biographical Data.
PCC/AMRM-1 General Files of the Panama Canal Commission.
PCC/AMSA-3 Land Utilization Records.
PCC/AMTE-1 ID Card and Documentation Control System.
PCC/AMTE-2 Equity Adjustment Records.
PCC/AMTR-1 Employees and Dependents Travel Orders.
PCC/ECIN-1 Plumbing and Welding License Files.
PCC/ECLE-1 Telephone Exchange Directory.
PCC/EO-1 Racial/National Origin Category Data.
PCC/EO2 Equal Employment Opportunity Complaint File.
PCC/FMAC-1 Embezzlements, Burglaries, and Cash Shortages.
PCC/FMAC-2 Accounts Receivable Records.
PCC/FMAC-5 Delegation of Authority for Procurement.
PCC/FMAC-6 Cash Collection Agents and Sugagents.
PCC/FMAC-7 Canal Commission Awards and Service Contracts Control Records.
PCC/FMAC-8 Accounts Payable Disbursement Records.
PCC/FMAC-9 Unnegotiated Checks Over One Year Old.
PCC/FMAC-10 Estate Files.
PCC/FMAP-1 Payroll Master File for Panama Canal Commission Employees.
PCC/FMAP-2 Payroll Deduction System for Court Ordered Wage Garnishments.
PCC/FMAP-3 Injury Compensation Payroll Records.
PCC/FMAP-/AC-4 Payroll Deductions.
PCC/FMCL-1 Travel and Transportation Claims.
PCC/FMTR-1 Termination of Employment Actions Records.
PCC/FMTR-2 Internal Revenue Service Notice of Levy Files.
PCC/FMTR-3 Suspension of Check Cashing Privileges Files.
PCC/GA-1 Cash Audit Files.
PCC/GCCL-1 Marine Accident/Miscellaneous General Claims.
PCC/GSCL-1 Library Services Branch Registration Records.
PCC/GSCP-2 Canal Protection Division Incident Report Files.
PCC/GSCS-1 Housing Files.
PCC/GSCS-2 Housing Complaints File,.
PCC/GSCX-1 Administrative Reports, Transfer of Custody and Official Complaint Files.
PCC/IR-1 Quarterly Report of Employee Union Dues Deductions.
PCC/IR-2 Records of Grievances, Appeals and Adverse Actions Processed Under a Negotiated Grievance Procedure (NGP).
PCC/MRBL-1 Marine License Files.
PCC/MRBL-2 Marine Accident Reports and Investigations.
PCC/MRCP-1 Pilot Workload Statistics.
PCC/MRNA-1 Admeasurer Examination File.
PCC/MRNP-1 Employee Training Development Records.
PCC/OM-1 Ombudsman Investigation Files.
PCC/OM-2 Resident's Advisory Committee Files.
PCC/OPR-1 Operating Unit Personnel Records.
PCC/PA-1 News Morgue Records.
PCC/PB-1 Merit System Recruiting, Examining and Placement Records.
PCC/PB-2 Appeals, Grievances, Complaints, and Assistance Records.
PCC/PB-3 Personnel Investigation Records.
PCC/PR-1 Disability Relief, Retirement and Group Supplementary Life Insurance Records.
PCC/PR-2 Employee Benefits Records.
PCC/PR-4 Personnel Management System.
PCC/PR-5 Recruiting and Placement Records.
PCC/PR-6 Training and Employee Development Records.
PCC/PR-7 Personnel Reference Unit Files.
PCC/PR-8 Systems of Records Notice by the Office of Personnel Management and Applicable to the Panama Canal Commission.
PCC/PR-9 Incentive Awards Programs Files.
PCC/PR-10 Occupational Health Records.
PCC/PR-12 Industrial Accident Prevention Supervisor/Unit Awards File.
PCC/PR-13 20/30/40 Safety Key Awards Files.
PCC/PR-14 Arrest Record Files.
PCC/PRAA-1 Adverse Action Files.
PCC/PRCL-1 Injury Claims (FECA) Files.

The Prefatory Statement of General Routine Uses (35 CFR Part 10, Appendix A)

Information about an individual which is maintained in any system of records under the control of the Panama Canal Commission is subject to disclosure, as a routine use of such information, to any of the following persons or agencies under the circumstances described:

1. Information indicating a violation or potential violation of law (whether civil, criminal, or regulatory in nature, and whether involving a statute or regulation or a rule, or order issued pursuant thereto) may be referred to an appropriate federal, state, local or foreign agency responsible for investigating, prosecuting, enforcing or implementing a statute, rule, regulation or order, where there is an indication of a violation or potential violation of the statute, rule, regulation or order and the information disclosed is relevant to the matter.

2. Information which has a bearing on matters which may be in dispute may be disclosed in the course of presenting evidence or argument to a court or administrative tribunal, a judicial official, or counsel for a party in connection with litigation or administrative proceedings in which the agency, or its officers or employees, are or may become involved.

3. Information may be provided to persons or agencies from whom information is solicited, to the extent necessary to elicit facts which may be relevant to a financial audit or an agency decision to hire or retain an employee, issue a security clearance, award a contract, grant a license, or other benefits.

4. Information may be disclosed to a federal agency, in response to its request in a particular case or in a category of cases, in connection with that agency's (a) decision in a personnel matter; (b) financial audits and accounting; (c) issuance of a security clearance; (d) investigation of an individual employed or formerly employed by the Panama Canal Commission (or its predecessors); or (e) decision to award a contract, grant a license, or other benefit.

5. Information may be supplied in response to an inquiry from a Member of Congress on behalf of an individual or, at any stage of the legislative coordination and clearance process, to the Office of Management and Budget in connection with the review of private relief legislation.

6. Information contained in licenses or certifications issued by the agency (including the former Panama Canal Company/Canal Zone Government) to professional employees (such as architects, canal pilots, attorneys, engineers, medical practitioners and teachers) of the agency may be released to professional licensing, certification or other regulatory boards or commissions. Disclosure pursuant to this routine use shall be limited to the names and types of license or certifications, dates of issuance, and dates of expiration, if appropriate.

7. To the extent necessary for implementation of the Panama Canal Treaty of 1977 and related agreements, information may, upon approval by the Agency Records Officer (Chief, Administrative Services Division) or that official's designee, be disclosed to officials of the Government of the Republic of Panama and to U.S. Government agencies which, under the Treaty, assumed functions formerly performed by the Panama Canal Company or the Canal Zone Government.

PCC/AE-1

System name:

Executive Personnel Financial Disclosure Reports, PCC/AE-1.

System location:

Office of Executive Administration, Administration Building, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

Panama Canal Commission employees designated in Part C of the Employee Code of Conduct, passed by the Board of Directors of the Panama Canal Commission on July 22, 1980, and other employees described in 5 CFR Part 734, Subpart B.

Categories of records in the system:

Report by current employees and prospective candidates covering their personal financial interests.

Authority for maintenance of the system:

5 U.S.C. Appendix 201-212; 5 CFR Part 734; 22 U.S.C. 3611, 3622; Articles III and X of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To defer conflicts of interest and indentify potential conflicts of interest through a systematic review of the financial holdings of current and prospective covered employees. See general routine use paragraphs in prefatory statement or in 35 CFR Part 10 Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Papers in sealed envelopes.

Retrievability:

Filed by name of individual.

Safeguards:

Store in file cabinet with combination lock. Access to and use of these records are limited to those individuals whose official duties require such access.

Retention and disposal:

Copies of reports are retained and are available to the public for a period of six years after receipt of the report, except in the case of an individual who filed a report as a presidential nominee and was not subsequently confirmed by the Senate, the report is retained and available to the public for a period of one year after the individual is no longer under Senate consideration. Unless needed in an ongoing investigation, reports are disposed of by burning or shredding at the end of the respective six and one year periods.

System manager(s) and address:

Designated Agency Ethics Official, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Designated Agency Ethics Official or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of the addressees designated in Notification Procedure, preceding.

Contesting record procedures:

See procedures published at 35 CFR Part 10.

Record source categories:

From reporting employee.

Systems exempted from certain provisions of the act:

None, except such reports as the President of the United States determines should not be available to the public under 5 CFR 734.603(b).

PCC/WO/AE-2

System name:

Panama Canal Commission Board of Directors Biographical and Correspondence Files, PCC/WO/AE-2.

System location:

Office of Executive Administration, Administration Building, Balboa Heights, Republic of Panama; and Office of the Secretary, 2000 L Street, NW., Suite 550, Washington, D.C.20036-4996.

Categories of individuals covered by the system:

Past and present members of the Panama Canal Commission Board of Directors.

Categories of records in the system:

Records contain names and address, newspaper clippings, general biographical information, minutes of Board meetings, and official correspondence between Commission officials and Board members.

Authority for maintenance of the system:

22 U.S.C. 3611 and 3612 (Supp. III 1979) and Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records in Office of the Secretary disclosed to Executive agencies, to members of Congress and to news media for press releases. See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed by name of board member.

Safeguards:

Lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal:

Permanent.

System manager(s) and address:

Director, Office of Executive Administration, Panama Canal Commission, APO Miami 34011-5000; Assistant to the Secretary, Panama Canal Commission, 2000 L Street, NW., Suite 550, Washington, DC 20036-4996.

Notification procedure:

Information may be obtained from the System Managers or the Agency Records Officer, Panama Canal Commission, APO Miama 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to any of the addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Information obtained from the individual, public media and protocol sources.

PCC/ADSA-1

System name:

Biographical Data, PCC/ADSA-1

System location:

Office of the Staff Assistant Administration Building, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

Administrator, Deputy Administrator, Administrator's staff, and members of their families; Board of Directors; local military and Diplomatic Corps officials; visiting officials including Congressional and high ranking military personnel; Secretary of the Army and members of his staff; local Panama Canal Commission employees; local businessmen and officials.

Categories of records in the system:

Information on individuals including names, identification numbers, dates of birth, number of children and their names, education, honors bestowed, telephone numbers, addresses, job titles, marital status, citizenship, employing unit photographs.

Authority for maintenance of the system:

5 U.S.C. 301; 22 U.S.C. 3611 and 3614 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General biographical data may be provided to interested members of Congress, diplomatic corps, public media, etc., consistent with official protocol functions. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Standard 8 by 10½ inch paper.

Retrievability:

Filed and indexed by name.

Safeguards:

Records maintained in lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal:

Maintained indefinitely. Forwarded to Agency Records Center for disposition according to established procedures and where applicable to libraries of the National Archives.

System manager(s) and address:

Office of Staff Assistant, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individual on whom the record is maintained.

PCC/AMRM-1

System name:

General Files of the Panama Canal Commission, PCC/AMRM-1.

System location:

Records Management Branch, Panama Canal Commission, Administration Building, Balboa Heights, Republic of Panama

Categories of individuals covered by the system:

Individuals who are the subject of correspondence or who correspond with the Office of the Administrator and staff offices on a variety of subjects related to the operation, maintenance, and protection of the Panama Canal.

Categories of records in the system:

Files retrievable by reference to individuals include records on subjects such as eligibility to purchase goods and services, and use Canal facilities; Congressional inquiries about or on behalf of individuals; certificates of good conduct; contracts with individuals, and inquiries and answers on Canal operations, laws and regulations pertaining to the Panama Canal Commission and policies related thereto, generally. System also includes inactive records on subjects such as eligibility to engage in private business; licenses and permits in connection with utilization of land, water, resources and facilities; biographical data on former Governors of the Canal Zone; reports of Court dispositions of cases; and Coroner reports.

Authority for maintenance of the system:

22 U.SC. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977; 44 U.S.C. 3101 and 3102.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders or on backers and card indexes.

Retrievability:

Filed by subject subdivided alphabetically by name, or file alphabetically by name only.

Safeguards:

Stored in metal file cabinets in file room locked when not in use in a building with around-the-clock guard. Access and use are restricted to authorized personnel.

Retention and disposal:

Records transferred to Agency Records Center after eight years and retained permanently. General files prior to June 30, 1960 have been accessioned by the National Archives of the United States. General files for July 1, 1960–September 30, 1976 have been accessioned by the Federal Records Center in Duluth, Ga.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject individuals, Canal officials, and information from records.

PCC/AMRM-5

System name:

Directory of Forwarding Addresses, PCC/AMRM-5.

System location:

Mail System Offices at Bldg. 446, Albrook, and Bldg. 8040, Margarita, Republic of Panama.

Categories of individuals covered by the system:

Former Canal Zone Post Office boxholders; former Commission employees who have given notice of change of address.

Categories of records in the system:

Former Boxholder's name, employee identification number, former and current mailing addresses; and the names of persons other than the boxholder authorized to receive mail at the assigned box. Former Commission employee's name, employee identification number, former APO box number, and forwarding address.

Authority for maintenance of the system:

22 U.S.C. 3741 (Supp. III 1979); and Article III and Annex of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Cards in Kardex file.

Retrievability:

Filed alphabetically.

Safeguards:

Maintained in metal Kardex file drawers, in facility locked when not in use.

Access and use are restricted to authorized personnel.

Retention and disposal:

Maintained until no longer needed, then retired to agency storage facility for eventual disposition in accordance with applicable retention schedule.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Administration Building Balboa Heights R.P. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individuals whose addresses appear in the system.

PCC/AMSA-3

System name:

Land Utilization Records, PCC/AMSA-3.

System location:

Administrative Services Division, Panama Canal Commission, Administration Building, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

All persons who have been issued revocable licenses to occupy or use tracts of land in the Canal area for residential, commercial, agricultural, recreational or boat repair purposes.

Categories of records in the system:

Records showing the status of land licenses issued containing information such as the following:

Name of licensee, street and postal address, date of birth, citizenship, identification number, type of employment, photographs, signature, dependent information, police records, and letters of complaint (if any). Also contains signed copies of licenses, boundary information, area maps, rental rates, census reports, and types of structures on the site and conditions of licensing and date of revocation, if any.

Authority for maintenance of the system:

22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977; and Article IV of the Agreement in Implementation of Article III of the Panama Canal Treaty.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information may be released to such agencies as the Bureau of Census, Office of Personnel Management and the Internal Revenue Service, Information may also be disclosed to local U.S. military officials when such licenses are located adjacent to or within areas used by the military. Information may also be disclosed to Government of Panama officials. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

10 by 12 inch file folders, and cardex files.

Retrievability:

Filed by name, recovered manually.

Safeguards:

Records maintained in lockable file. Access and use are restricted to authorized personnel.

Retention and disposal:

Retained as a permanent record.

System manager(s) and address:

Chief, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individual on whom record is maintained.

PCC/AMTE-1

System name:

ID Card and Documentation Control System PCC/AMSA-1.

System location:

Employee and Cargo Documentation Section, Bldg. 5140, Diablo, Republic of Panama; Cristobal Administration Bldg., Cristobal, R.P.; and Data Processing Division, Administration Building, Balboa Heights, R.P.

Categories of individuals covered by the system:

Commission employees, contractors, dependents, annuitants, visitors of Commission employees, and other persons the PCC is responsible for administering the agency's identification, purchase authority, or other type documentation programs.

Categories of records in the system:

Records in connection with applications for photo-identification and/or purchase authority cards; subsystem in connection with applications for U.S. Government Vehicle Operator's identification and Material Handling card; subsystem in connection with application for exoneration of customs duty to import goods into the Republic of Panama; and subsystem in connection with administrative investigations on persons reported to be, or suspected of involvement in activities which are violations of treaty provisions governing identification documents and importation, purchase, use, transfer of goods or services, including but not limited to transfer of duty free goods and services into the Republic of Panama without proper Panama customs clearances; shoplifting in military retail facilities; and abuse of mailing privileges. Records include applicant's name, identity number, social security number, home address, postal address, birthdate, citizenship, employment status and/or employing unit, position title, marital status, purchase authority status, medical privilege status, work, and home telephone number, name, date of birth, relationship, physical impairments and citizenship of dependents of applicant, and history of identification cards issued.

Subsystem containing photomat cards reflecting card holder's name, sponsor's name, date of birth of card holder, social security number, identification number, citizenship, employing agency or agency retired from, separation date, card expiration date, residence address and card control number.

Types of identification cards maintained by this office include, but are not limited to, Form 737, Photo ID privilege card for U.S. citizen and eligible third-country national employees; Form 738, Photo ID card for dependents of U.S. citizens and eligible third-country national employees; Form 739, Photo ID for non-U.S. citizen employees; Form 740, Photo ID for contractor employees and their dependents; Form 748, Annuitant ID card; Form 691, Application for Visitors Card; Form 1680, Recreational Facilities Identification; Form 5295, Resident Identification; Form 37, Application for Official Government Driver's License; Form 332, Material Handling Equipment Operator's License; Form 46, U.S. Government Motor Vehicle Operator's ID card. Computer listings reflecting name, identification number, tenure, duty station, social security number, leave balance, gross pay and social security payments to the Government of Panama, of active Panama Canal Commission employees eligible for medical benefits. Name, identification number, passport number, date of birth, birthplace, nationality of Panama Canal Commission employees and their dependents who have been issued official U.S. passports. For persons who have been issued visitor identification cards, photocopies of their passport, tourist card, and their sponsor's Commission identification card are maintained.

Subsystem containing records in connection with abuse of documentation reflecting name, number, address, place of employment, case numbers, charge or violation, administrative action taken and name of investigator. Other information as may be uncovered by investigating officers, including the name, dates and places of violations, names of accessories, etc.

Subsystem containing applications for exoneration of customs duty reflecting name, identity number, citizenship, residence, place of employment, signature, and commodity description.

Subsystem reflecting applications for U.S. Government vehicle operators and material handling IDs reflecting application forms containing name, identification number, position, date of birth, place of birth, citizenship, color of hair, color of eyes, height, weight, employment information, qualification statements. Letters or revocation, suspension, or cancellation, and/or medical evaluation material. Computer-produced list of current license-holders.

Authority for maintenance of the system:

22 U.S.C. 3611 (Supp. III 1979); Articles III and VIII of the Panama Canal Treaty of 1977; and Articles XIII, XIV and XVI of the Agreement in Implementation of Article III of the Panama Canal Treaty of 1977; 5 CFR Part 930, Subpart A; Panama Canal Personnel Manual, Chapter 930; 40 U.S.C. 491.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from this system may be disclosed to officials of the U.S Embassy, U.S. Armed Forces and the Government of Panama, with a need to know. Disclosure as required to U.S. military component investigators, and Panamanian Customs officials having an interest in such information in connection with law enforcement or regulatory procedures. See also general routine uses in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms, standard photomat cards and paper records. Cards, logbooks (chronological), case reports and supporting documentation maintained by the Employee and Cargo Documentation Section which are accessible by the cardex system. Paper records in file folders; computer printouts; magnetic disks.

Retrievability:

Accessible by name, application number; identification number; and case number on cardex forms. Backup data, including case reports accessed by cardex designators, otherwise filed by investigator's name.

Safeguards:

Paper records maintained in lockable file cabinets and card file drawers. Magnetic disks stored in locked room when not in use. Access and use restricted to authorized personnel.

Retention and disposal:

Records related to violations and abuse of documentation, destroyed after 10 years. Exoneration records destroyed after 3 years. General photo ID card, purchase authority records, and passport records destroyed six years after inactive, cancelled, or termination of employee.

Motor vehicle ID, application forms, and related records destroyed 3 years after expiration of license or termination of employee or other decision of authority. Computer printouts held up to three months after printing and then destroyed.

System manager(s) and address:

Supervisor, Employee and Cargo Documentation Section, Transportation Services, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of the addressees designated in notification procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

From individuals; employees; supervisors; U.S. military authorities and Government of Panama officials; U.S. Embassy; and Data Processing.

Systems exempted from certain provisions of the act:

All information in the subsystem concerning violations and abuse of documentation is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.21 and 10.22.

PCC/AMTE-2

System name:

Equity Adjustment Records, PCC/AMTE-2.

System location:

Original applications and logs are maintained in the Employee and Cargo Documentation Section, Bldg. 5140, Diablo, Republic of Panama; Equity Adjustment travel related data is maintained on index cards in the Transportation Services Branch, Bldg. 5140, Diablo, Republic of Panama; Payroll related computer printouts, magnetic tapes and disks are maintained in the Payroll Branch, Bldg. 725, Balboa, Republic of Panama.

Categories of individuals covered by the system:

All Panama Canal Commission employees who have applied for Equity Adjustment package benefits.

Categories of records in the system:

Determinations of employee's eligibility for, or entitlement to the Equity Adjustment. Consists of employee application showing name, I.P., citizenship, place of employment, work location, employment status, grade, title, marital status, spouse's citizenship, spouse's place of employment, employee Panama Canal Commission Service Date, military status, primary residence address, local mailing address, other supporting documents as may be required by the Panama Canal Commission to determine eligibility for equity adjustment, and endorsements from the Office of Personnel Administration, and Housing Management Branch, and the Assistant Director, Policy Development.

Authority for maintenance of the system:

Section 1206 of the Panama Canal Act of 1979 (Pub. L. 96-70, 93 Stat. 456); 5 U.S.C. 5728; 5 U.S.C. 5912; decision of the Board of Directors of July 12, 1984; and decision of the Executive Committee of the Board of Directors of September 12, 1984; Panama Canal Administration and Regulations Part 112 and Panama Canal Personnel Manual Part 572.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine uses paragraphs in prefatory statements or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Original Equity Adjustment application forms, logs, indexes and printouts are kept in locked file cabinets inside a secured office area. Magnetic tapes/disks and computer printouts are maintained in secured office areas. Access to and use of these records are limited to those individuals whose official duties require such access.

Retrievability:

Retrievable by employee's name I.P. number, control number and status code by roll and gang (agency worksite location code).

Safeguards:

Paper records are kept in locked file cabinets when not in use. Access to and use of these records are limited to those individuals whose official duties require such access.

Retention and disposal:

Original application forms to be retained ten years by the Administrative Services Division from date of application. Computer disks and magnetic tapes retained by Payroll Branch for six years.

System manager(s) and address:

Supervisor, Employee and Cargo Documentation Section, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either or addressees designated in Notification Procedure, preceding. Requests for automated records may be addressed to Chief, Payroll Branch, Panama Canal Commission, APO Miami 34011-5000.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

PCC Application Form No. 77 (Equity Adjustment) submitted by employee, back-up correspondence, information from employee's official Personnel Folder, housing records, computer-generated documents including PCC Master payroll system, and travel/transportation related records.

PCC/AMTR-1

System name:

Employees and Dependents Travel Orders, PCC/AMTR-1.

System location:

Transportation Services Branch, Bldg. 5140, Diablo Heights, Republic of Panama.

Categories of individuals covered by the system:

Employees and designated dependents of Panama Canal Commission and other agencies whose travel arrangements are performed by the Transportation Branch of the Panama Canal Commission

Categories of records in the system:

Records contain traveler's names, relationship to employee, identification number, occupation, dates and places of birth, origin and destination of travel as well as other pertinent travel information required to complete United States Government Bills of Lading.

Authority for maintenance of the system:

5 U.S.C. 5701-42 and 5924, and such other authorities as are cited in 572.1-1 and 1-2, PCPM; 22 U.S.C. 3611, 3647 and 3671 (Supp. III 1979) and Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

U.S. Government agencies, commercial carriers, U.S. and foreign customs, Immigration and diplomatic personnel, and others with a need to know; and for use in adjudicating claims relating to employee travel. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders and index cards.

Retrievability:

Indexed by employee's name and travel order numbers.

Safeguards:

Records maintained in file cabinets. Office is locked and protected by security alarms after office hours—access and use of records restricted to authorized personnel.

Retention and disposal:

Destroyed when 3 years old.

System manager(s) and address:

Chief, Transportation Services Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individual on whom the record is maintained, employing unit, and by the Personnel Bureau, Panama Canal Commission as necessary.

PCC/ECIN-1

System name:

Plumbing and Welding License Files, PCC/ECIN-1.

System location:

(Plumbing License Files) Director's Office, Engineering and Construction Bureau, Administration Building, Balboa Heights, R.P.;

(Welding License Files) Industrial Division, Building 5082, Mt.Hope, R.P.

Categories of individuals covered by the system:

All persons who have welding licenses on file with the Industrial Division.

Categories of records in the system:

License numbers, name of licensee, date license issued, test results, category of license, name of certification board or examiner.

Authority for maintenance of the system:

22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977; 35 CFR Parts 251 and 253.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

License information routinely released to contractors, employers, and license examining and review boards. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained in file folders.

Retrievability:

Filed by type and number of license.

Safeguards:

Records maintained in file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal:

No retention and disposal schedule established. Actively maintained as long as licensee is known to be actively engaged in employment. Retained permanently for record purposes.

System manager(s) and address:

For plumbing license file, Director, Engineering and Construction Bureau, Panama Canal Commission, APO Miami 34011-5000. For welding license file, Chief, Industrial Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Examining officials and licensee.

PCC/ECLE-1

System name:

Telephone Exchange Directory, PCC/ECLE-1.

System location:

Electrical Division, Building 69, Balboa, Republic of Panama.

Categories of individuals covered by the system:

Panama Canal Commission telephone service subscribers, including persons or organizations requesting residential, office, and/or pay phone installations, directory listing, repair services, etc.

Categories of records in the system:

Name, employee identification and/or customer number, of all persons and organizations having listed and unlisted telephone numbers. Dates of installation, work order numbers, types of equipment and numbers of installation, location, etc. are also included.

Authority for maintenance of the system:

22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977 and Annex thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from this system is used to compile listings used to produce the Panama Canal Commission Telephone Directory (available to the public), answer requests for telephone directory assistance etc. Telephone numbers which are requested to be kept unlisted, while a part of the system, are maintained under lock and key. Such numbers are only divulged to the party to whom they pertain, and only upon positive face-to-face identification. Information from this system may also be used to provide assistance to INTEL for the collection of outstanding charges for long distance services. For other routine uses see general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information maintained on printed cards, diskettes, and word processing equipment.

Retrievability:

Filed by name and telephone district.

Safeguards:

Cards maintained in lockable revolving files.

Retention and disposal:

Maintained for five years after individual cancels or terminates service, then destroyed.

System manager(s) and address:

Chief, Electrical Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

From employee on whom record is maintained.

PCC/EO-1

System name:

Racial/National Origin Category Data, PCC/EO-1.

System location:

Office of Equal Opportunity and Data Processing Division, Administration Building, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

Active employees of the Panama Canal Commission.

Categories of records in the system:

A racial/national origin designator, together with information in the payroll system of the Panama Canal Commission, including such information as name, employee identification number, date hired, roll and gang, position number, occupation, pay level, base rate, work week, social security code and number, residence, citizenship, sex, marital status, birth date, Federal service date, PCC service date and employee status.

Authority for maintenance of the system:

5 U.S.C. 554; 22 U.S.C. 3611 (Supp. III 1979); 42 U.S.C. 2000 e-16; E.O. 11478 of August 8, 1969; Articles III and X of the Panama Canal Treaty of 1977; the Statistical Policy Handbook, U.S. Department of Commerce, Office of Federal Statistical Policy and Standards, Directive 15; Uniform Guidelines on Employee Selection Procedures; 29 CFR Parts 1607 et seq. (1982).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A. The System Manager is prohibited, by the provisions of 29 CFR 1613.302, from disclosing racial/national origin group data in the system except in the form of gross statistics (except insofar as an individual is entitled, under the Privacy Act, to access to information pertaining to him which is contained in the system.)

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tapes or discs, computer printouts and Panama Canal Forms No. 2323, used for computer input.

Retrievability:

By any or all of the categories of records in the system.

Safeguards:

Printouts containing names or other personal identities together with the racial/national origin designator code maintained in locked file cabinet and accessible only to the Director of the Office of Equal Opportunity or that official's designated representative. Magnetic tapes stored in locked rooms when not in use; access and use restricted to authorized personnel. Printouts will be produced only upon written request from the Director of the Office of Equal Opportunity.

Retention and disposal:

Printouts retained up to five years and then destroyed. Records on magnetic tape retained until six weeks after the end of the calendar year in which the employee terminates. Tapes and discs erased and reused. Panama Canal Forms No. 2823 destroyed after racial/national origin group information entered in computer and checked for accuracy.

System manager(s) and address:

Director, Office of Equal Opportunity, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Administration Building, Balboa Heights, R.P. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of the officials designated in Notification Procedure, preceding.

Contesting record procedures:

Rules governing how an individual may request the amendment of any information about him in this system are published in 35 CFR 10.12.

Record source categories:

Racial/national origin designator code: A visual identification of the employee's race and ethnic category made by the employee's supervisor for those employed as of June 30, 1977 and, for those entering service after June 10, 1977, by staff of the Employee Processing Unit of the Office of Personnel Administration, and for those employees entering service on January 1, 1981, voluntary self identification will be employed. All other data: Subject employee, personnel actions forms (SF 50), employing unit, time reports, computer-generated and manual calculations from varied input data.

PCC/EO-2

System name:

Equal Employment Opportunity Complaint File, PCC/EO-2.

System location:

Office of Equal Opportunity, Administration Building, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

Employees and applicants for employment who complain of discrimination based on race, color, sex, age, religion, national origin, or physical and mental handicap.

Categories of records in the system:

A. Pre-complaint record, consisting of informal complaint, final report from the Equal Employment Opportunity Counselor, and related documents.

B. Investigative file, consisting of formal complaint; acceptance of formal complaint; sworn statements from complainant, witnesses, and alleged discriminatory official(s), environmental survey for comparison purposes (depersonalized); and summary made by investigator, and related documents.

C. Complaint file, consisting of proposed disposition of complaint, transcript of EEO hearing, hearing examiner's recommended decision, final decision by agency head, documents forwarded to the Office of Review and Appeals of the Equal Employment Opportunity Commission and the Commissioners, and related papers.

Authority for maintenance of the system:

42 U.S.C. 2000e-16; 5 U.S.C. 554; E.O. 11478 of August 8, 1969; E.O. 11590 of April 23, 1971; 22 U.S.C. 3611 (Supp. III 1979); Articles III and X of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosed to the Equal Employment Opportunity Commission in connection with their conducting a hearing or rendering a decision on an appeal of this agency's decision; and to the U.S. courts in connection with the filing of a civil action related to your complaints. (See also General Routine Use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.)

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed alphabetically by name of complainant.

Safeguards:

Stored in locked file cabinets; office locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Retained in office for 2 years after final disposition of case and transferred to Agency Records Center for destruction 4 years after final disposition of case. Tapes of EEO hearings are erased and reused.

System manager(s) and address:

Director, Office of Equal Opportunity, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager. See Chapter 713 of Panama Canal Personnel Manual (PCPM 713).

Record access procedures:

Requests should be addressed to the System Manager. Investigatory records are not released until investigation has been completed. Hearing records are not released until final decision has been made.

Contesting record procedures:

See Panama Canal Personnel Manual 713.

Record source categories:

Complainant; individuals involved in complaint; other witnesses; investigator; examiner; and officials making determinations in the case.

Systems exempted from certain provisions of the act:

All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in agency's regulations. See 35 CFR 10.22.

PCC/FMAC-1

System name:

Embezzlements, Burglaries, and Cash Shortages, PCC/FMAC-1.

System name:

Agents Accounts Branch, Building 365, Ancon, Republic of Panama.

Categories of individuals covered by the system:

Panama Canal Commission employees and former employees under investigation for embezzlements, burglaries, and cash shortages.

Categories of records in the system:

Records collected and maintained in connection with investigations of embezzlements, burglaries, and cash shortages, such as, police reports audit reports, statements by individuals involved and their employers, decisions made about liability and responsibility, statements of actions taken to recover, and court decisions.

Authority for maintenance of the system:

6 Panama Canal Code 502-6, 1341-58, 1381-93, 76 A Stat. 428-29, 458-63; 5 U.S.C. 5511-12; 22 U.S.C. 3611 and 3721 (Supp. III 1979) and Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure is authorized to the General Accounting Office for decision on responsibility for losses sustained and method of recovery or forgiveness and to the Office of Personnel Management for recovery from retirement annuities or contributions. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed alphabetically by name.

Safeguards:

Stored in locked desk in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Placed in inactive file when case is closed and cutoff at end of fiscal year. Destroyed ten years after cutoff.

System manager(s) and address:

Chief, Agents Accounts Branch, Accounting Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Employers, agents, investigators, witnesses, and the courts.

Systems exempted from certain provisions of the act:

All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.22.

PCC/FMAC-2

System name:

Accounts Receivable Records, PCC/FMAC-2.

System location:

Agents Accounts Branch, Bldg. 365, Ancon, Republic of Panama; Panama Canal Commission, 4400 Dauphine St., New Orleans, Louisiana; and Data Processing Division, Administration Building, Balboa Heights, R.P.

Categories of individuals covered by the system:

Individuals billed by the former Canal agencies for services and purchases, and individuals billed by the Panama Canal Commission for services, housing, etc. Included are: All former employees of the Canal agencies, and all present and former employees of the Commission, employees and active duty personnel of U.S. military commands, employees of other U.S. Government agencies, including U.S. Embassy and State Department personnel located in the Republic of Panama, Civil Service annuitants and all other persons having charges or unpaid balances payable to the Panama Canal Commission.

Categories of records in the system:

Records maintained to support and effect customer billings, collections, and credit standing, including customer listings and data files (name, address, account number and balance, roll and gang, history of debit and credit transactions, etc.), charge account applications, transaction detail and analysis and statistical accumulations, active and inactive credit accounts, schedules of advance payments and security deposits, and account written off. Information relates to such charges as former retail store and storehouse sales, hospital services, other services provided by the former Canal agencies, and housing, electricity, etc., currently provided by the Commission to DOD personnel and other individuals.

Authority for maintenance of the system:

5 U.S.C. 301; 5 U.S.C. 5511-14; 22 U.S.C. 3721 (Supp. III 1979); 31 U.S.C. 65 et seq. and 951-3; 42 U.S.C. 2651-3; 44 U.S.C. 3101; Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure is authorized to General Accounting Office for audit and collection assistance; Department of Justice for collection assistance; Internal Revenue Service for determination of tax liability; Veterans Administration for its administration of laws pertaining to veterans; and other U.S. Government organizations, private employers, labor unions, lending and credit institutions, foreign consulates and embassies, foreign governments, insurance carriers, attorneys, courts, and executors of estates for collection assistance, credit information, offset of accounts receivable against amounts due customers, and possible litigation. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in folders, index cards; magnetic tapes/disks and punched cards; computer printouts; 16 mm rolls of silver halide microfilm.

Retrievability:

Paper records and microfilm retrievable alphabetically by name; information retrieved from computer and microfilm by customer/account number.

Safeguards:

Paper records filed in locked and unlocked metal file cabinets, shell files, tub files, desks, and table tops in building locked when not in use. Magnetic tapes/disks and punched cards filed in locked rooms when not in use. Two microfilm silver copies made simultaneously. One security copy stored in Treasurer's Vault in locked fireproof film file cabinet. Second copy used for retrieval of information and is stored in a fireproof, film file cabinet, which is locked when not in use. Access and use restricted to authorized personnel.

Retention and disposal:

Paper records destroyed six years and three months after account closed, except those pertaining to accounts written off (destroyed after fifteen years) and customer listings (destroyed when superseded by new listings). Information retained on computer for one year after closing of account. Microfilm retain six years and three months. Request pending to destroy paper copies which have been microfilmed in three years.

System manager(s) and address:

Chief, Agents Accounts Branch, Accounting Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Units providing chargeable services, billing offices, collection agents, subject individuals, officials authorized to forgive debts and to authorize adjustments of existing charges, and offices making inquiries or to which inquiries are directed.

PCC/FMAC-3

System name:

Trust Fund Records, PCC/FMAC-3.

System location:

Agents Accounts Branch, Building 365, Ancon, Republic of Panama.

Categories of individuals covered by the system:

Estates escheated to the former Canal Zone Government by court order.

Categories of records in the system:

Records maintained on funds held for persons incapable of handling their own affairs. The records show the beneficiary's name, amounts received and earned, dates received and earned, account and receipt.

Authority for maintenance of the system:

22 U.S.C. 3611, 3721 (Supp. III 1979); 31 U.S.C. 65 et seq.; Articles III and XI of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure of information is authorized to the Public Administrator, for use in the performance of duties. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed or retrievable alphabetically by name.

Safeguards:

Stored in locked desk in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed when 3 years old.

System manager(s) and address:

Chief, Agents Accounts Branch, Accounting Division, Panama Canal Commission, APO Miami 34011.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Administration Building, Balboa Heights, R.P. rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Fund administrators and agent cashiers.

PCC/FMAC-5

System name:

Delegation of Authority for Procurement, PCC/FMAC-5.

System location:

Agents Accounts Branch, Building 365, Ancon, Republic of Panama.

Categories of individuals covered by the system:

Panama Canal Commission personnel authorized to procure and/or approve payments, and personnel of the District Court and other government agencies that approve payments and are made by the Panama Canal Commission.

Categories of records in the system:

Records maintained to show individuals and positions authorized to procure goods or services and approve disbursements. Records contain such information as name; organization; title; type of authority; dollar limitations; payment authorization and limitations; letters of additions, deletions and revisions; and sample signatures.

Authority for maintenance of the system:

22 U.S.C. 3611 (Supp. III 1979); 31 U.S.C. 65 et seq.; Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure is authorized to officials of the District Court and other government agencies for which the Panama Canal Commission makes disbursements. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Cards and papers in file folders.

Retrievability:

Filed or retrievable alphabetically by name.

Safeguards:

Stored in locked desk in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed 10 years after authorization cancelled or obsolete.

System manager(s) and address:

Chief, Agents Accounts Branch, Accounting Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Officials of the Canal agencies and subject individuals.

PCC/FMAC-6

System name:

Cash Collection Agents and Subagents, PCC/FMAC-6.

System location:

Agents Accounts Branch, Building 365, Ancon, Republic of Panama.

Categories of individuals covered by the system:

Employees responsible for handling cash.

Categories of records in the system:

Records maintained to identify personnel responsible for cash, their location, the authorized amount of their cash banks, and limitations as to the use of the banks.

Authority for maintenance of the system:

22 U.S.C. 3721 (Supp. III 1979); 31 U.S.C. 65 et seq.; Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure is authorized to insurance companies for bonding purposes. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records.

Retrievability:

Filed by agent cashier number and retrievable by name.

Safeguards:

Stored in locked desks in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed one year after superseded.

System manager(s) and address:

Chief, Agents Accounts Branch, Accounting Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Administrative Officers of Operating Divisions, Personnel Bureau records, and the Treasurer.

PCC/FMAC-7

System name:

Canal Commission Awards and Service Contracts Control Records, PCC/FMAC-7.

System location:

Agents Accounts Branch, Building 365, Ancon, Republic of Panama.

Categories of individuals covered by the system:

Individuals and organizations that have personal service contracts and sale agreements with the Panama Canal Commission.

Categories of records in the system:

Control records on Canal Commission Awards and service contracts showing transaction history, payment history, history of orders placed against awards, modifications to initial agreement, amount contracted for, and undelivered orders placed against awards.

Authority for maintenance of the system:

22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977; Article XI of the Agreement in Implementation of Article III of the Panama Canal Treaty.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure is authorized to contractors in reviewing the status of their accounts, the General Accounting Office and the Office of Management and Budget in the performance of their functions, and the District Court and other Government agencies for which the Panama Canal Commission makes disbursements. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Cards.

Retrievability:

Filed alphabetically by name and cross-reference to contract and award numbers.

Safeguards:

Stored in locked desk in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Records of transactions of more than 10,000 dollars and construction contracts exceeding 2,000 dollars are destroyed six years and three months after final payment. Records of transactions of 10,000 dollars or less and construction contracts under 2,000 dollars are destroyed three years after final payment.

System manager(s) and address:

Chief, Agents, Accounts Branch, Accounting Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Contracting officers, budget officers, disbursement records, and contractors.

PCC/FMAC-8

System name:

Accounts Payable Disbursement Records, PCC/FMAC-8.

System location:

Agents Accounts Branch, Building 365, Ancon, Republic of Panama. New Orleans Office, Panama Canal Commission, 4400 Dauphine Street, New Orleans, Louisiana.

Categories of individuals covered by the system:

Persons to whom payments have been made by the former Canal agencies and the Panama Canal Commission.

Categories of records in the system:

Records maintained to show payments from accounts of the former Canal agencies and the Commission including such documentation as purchase orders, vendors invoices, payment authorizations, approvals, check follow copies, and accounting classifications, vendor condensed listing, and vendor historical listings. Those two last listings resulted from the accounts payable system being automated and include the names and addresses of all vendors in alphabetical order and the historical record of all payment and other transactions to individual vendors.

Authority for maintenance of the system:

22 U.S.C. 3611, 3721 (Supp. III 1979); 31 U.S.C. 65 et seq.; Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure is authorized to freight carriers and rate making institutions in connection with the determination of rates, other Federal agencies gathering statistical information, contracting officers, banks with which the Commission maintains checking accounts, and the District Court and other Government organizations for which the Panama Canal Commission disburses funds. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in folders and individual forms.

Retrievability:

Filed alphabetically by name through September 1984. Since October 1984, when accounts payable system was automated, files are kept in vendor number sequences.

Safeguards:

Paper records stored in metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed six years and three months after the period of the account.

System manager(s) and address:

Chief, Agents Accounts Branch, Accounting Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Procurement Officer, contracting officer, officials authorized to incur liabilities and approve payments disbursed by the Panama Canal Commission, and subject individuals.

PCC/FMAC-9

System name:

Unnegotiated Checks Over One Year Old, PCC/FMAC-9.

System location:

Agents Accounts Branch, Building 365, Ancon, Republic of Panama.

Categories of individuals covered by the system:

Persons issued Panama Canal Company and Commission checks for which there is no record of their having been cashed for over one year.

Categories of records in the system:

Records maintained on unnegotiated checks over one year old used to investigate claims for funds, determine if funds are available which can be offset against accounts receivable, and investigate alleged liabilities. Records contain information such as payee name, identification number, check number, check date, name of bank drawn on, amount of check, and related correspondence.

Authority for maintenance of the system:

22 U.S.C. 3611, 3721 (Supp. III 1979): Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure is authorized to individuals and organizations affected by the nonnegotiation of the check. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Cards and papers in file folders and listed in microcomputers by bank in check date and check number sequence.

Retrievability:

Filed alphabetically by name of payee.

Safeguards:

Filed in metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed 10 years after date of issue, except retain summary lists of unpaid checks.

System manager(s) and address:

Chief, Agents Accounts Branch, Accounting Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Disbursements system, payees, and other persons concerned.

PCC/FMAC-10

System name:

Estate Files, PCC/FMAC-10.

System location:

Agents Accounts Branch, Building 725, Balboa, Republic of Panama.

Categories of individuals covered by the system:

Persons making or filing claims for unpaid compensation due deceased employees of the former Canal agencies and the Commission.

Categories of records in the system:

This system of records contains information or documents needed to audit and settle claims for amounts due estates of deceased employees. The records consist of documentation giving rise to the claim, claimant's or individual's name and relationship of immediate family, address, identification number, occupation, date of birth, date of death, payroll information and other materials placed into the record to perfect the claim and relating to the actions, decisions or determinations made by the Agency.

Authority for maintenance of the system:

Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in a record from this system may be furnished to the claimant and other parties of interest in connection with the audit and settlement of claims, such as the Office of Personnel Management for furnishing information for compensation payments to beneficiaries.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records maintained in file folders.

Retrievability:

Filed numerically by claimant's number.

Safeguards:

Records maintained in lockable file cabinets in office locked when not in use. Access to and use of these records are limited to those individuals whose official duties require such access.

Retention and disposal:

Disposal not authorized. Retention period pending submission of SF 115 to National Archives and Records Administration.

System manager(s) and address:

Chief, Agents Accounts Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 5 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedure, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

PCC/FMAP-1

System name:

Payroll Master File for Panama Canal Commission Employees, PCC/FMAP-1.

System location:

Payroll Branch, Building 365, Ancon, Republic of Panama; and Data Processing Division, Administration Building, Balboa Heights, R.P.; and New Orleans Office, Panama Canal Commission, 4400 Dauphine Street, New Orleans, Louisiana.

Categories of individuals covered by the system:

Present and former employees of the Panama Canal Commission.

Categories of records in the system:

Master payroll system consisting of payroll-related or employment-related information necessary to compute gross and net pay, retirement credit, leave balances, overtime, etc., and to account for payments. Includes such information as name, employee identification number, rate number, rate of pay deductions, date hired, where hired, roll and gang, position number, occupation, pay level, base rate, frozen or saved rate, tropical differential code, annual premium compensation, security classification, step due date, labor distribution accounts, work week, retirement code, tenure, rehired annuitant, part-time hours, social security code and number, FEHBA plan, FEGLI income tax data, Fair Labor Standards Act code, medical identification card, residence, citizenship, sex, marital status, veterans preference, physical examination, suspended leave, employee address, birth date, Federal service date, Canal service date, travel leave, check distribution code, employee status, and Combined Federal Campaign pledges.

Authority for maintenance of the system:

5 U.S.C. Chapter 55; 22 U.S.C. 3611 and 3721 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information may be disclosed to the following agencies and organizations, in connection with their authorized functions: Office of Personnel Management; Internal Revenue Service; Social Security Administrative; General Accounting Office; U.S. military agencies; state unemployment compensation offices; city, county, and state tax offices, employee credit union; banks; labor unions; insurance carriers; and Combined Federal Campaign. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape/disks, punched cards, computer printouts, and microfilm of printout.

Retrievability:

Retrievable by employee's name, identification number, and pay rate code.

Safeguards:

Paper record and microfilm stored in building locked when not in use. Magnetic tape/disks and punched cards filed in locked rooms when not in use. Access and use restricted to authorized personnel.

Retention and disposal:

Paper records or microfilm destroyed sixty years after individual's first day of employment, provided individual has been separated from service for five years. Terminated employees are carried on the computer until six weeks after the end of the calendar year in which they terminate.

System manager(s) and address:

Chief, Payroll Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject employee, personnel action form (SF-50), employing unit, time reports, and computer-generated and manual calculations from varied input data.

PCC/FMAP-2

System name:

Payroll Deduction System for Court Ordered Wage Garnishments.

System location:

Payroll Branch, Building 725, Balboa, Republic of Panama.

Categories of individuals covered by the system:

Panama Canal Commission employees who have been ordered by the courts to pay alimony and/or child support by wage garnishment.

Categories of records in the system:

Records maintained by the Payroll Branch of court ordered wage garnishments for alimony and child support of Panama Canal Commission employees.

Authority for maintenance of the system:

5 U.S.C. 1103(b)(2)(A), 5 CFR Part 110 and Pub. L. 98-378.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To provide information regarding alimony and child support in compliance with an order of a court of competent jurisdiction.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Court furnished affidavits, General Counsel rulings and deduction schedules are maintained in file folders.

Retrievability:

Filed alphabetically by name and identification number.

Safeguards:

Stored in metal file cabinets in building locked when not in use. Access to and use of these records are limited to those individuals whose official duties require such access.

Retention and disposal:

Destroy when three years old.

System manager(s) and address:

Chief, Payroll Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to any of the addressees designated in Notification Procedure, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Information obtained from court ordered affidavits and general counsel rulings.

PCC/FMAP-3

System name:

Injury Compensation Payroll Records. PCC/FMAP-3.

System location:

Payroll Branch, Panama Canal Commission, Bldg. 365, Ancon; Republic of Panama.

Categories of individuals covered by the system:

Beneficiaries under the Federal Employees Compensation Act.

Categories of records in the system:

Records maintained to account for payments of awards and as the basis for a variety of reports on payments of injury compensation, containing information on beneficiaries, such as name, identification number, address, amount of payment, amount of insurance premiums, and miscellaneous hospital bills.

Authority for maintenance of the system:

5 U.S.C. 301 and 8101 et seq.; 22 U.S.C. 3611 and 3658 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Submission of reports to Office of Personnel Management and insurance carriers for use in their functions related to the Federal Employees Compensation Act. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Journals and cards.

Retrievability:

Filed by identification number and retrievable by name.

Safeguards:

Stored in shelf or tub files in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

SF 115, Request for Records Disposition Authority, submitted to NARA.

System manager(s) and address:

Chief, Payroll Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APo Miami 34011-5000. See rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Panama Canal Commission, Office of Personnel Administration and Occupational Health Division.

PCC/FMAP/AC-4

System name:

Payroll Deductions, PCC/FMAP/AC-4.

System location:

Payroll Branch, Building 365, Ancon, Republic of Panama.

Categories of individuals covered by the system:

Active and retired employees of the Panama Canal Commission.

Categories of records in the system:

Records maintained by the Payroll Branch as part of the Payroll Master File for Panama Canal Commission employees and used also by Agents Acounts Branch as part of the Accounts Receivable Records System For accounts collectible by payroll deduction. Records contain individual's gross pay, net pay, and payroll deduction detail and support data.

Authority for maintenance of the system:

5 U.S.C. 5511-27; 22 U.S.C. 3611 and 3645 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure is authorized to insurance carriers in connection with payments of health insurance benefits. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer runs, discs, cards, ledgers, and papers in file folders.

Retrievability:

Filed and retrievable alphabetically by name and by identification number.

Safeguards:

Stored in metal file cabinets and ledger buckets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed 4 years after fiscal year involved.

System manager(s) and address:

For Payroll Master File; Chief, Payroll Branch, Accounting Division, Panama Canal Commission, APO Miami 34011-5000. For accounts receivable; Chief, Agents Accounts Branch, Accounting Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Billing units and subject individuals.

PCC/FMCL-1

System name:

Travel and Transportation Claims, PCC/FMCL-1.

System location:

Agents Accounts Branch, Building 725, Balboa, Republic of Panama.

Categories of individuals covered by the system:

Persons making or filing claims against the former Canal agencies and the Commission for travel and transportation expenses.

Categories of records in the system:

This system of records contains information or documents needed to audit and settle claims for travel and transportation expense reimbursement, and personal property loss and/or damage for shipment of household goods. The records consist of documentation of the circumstances giving rise to the claim and basis of the claim, claimant's or individual's name, names and relationship of immediate family, address, identification number, occupation, date of birth, when, where and how the loss or damage to property occurred relative to shipment of household goods, travel orders and other travel information, and various other materials placed into the record to perfect the claim and relating to the actions, decisions, or determinations made by the Agency.

Authority for maintenance of the system:

5 U.S.C. 301, 5581 et seq., 5701 et seq.; 22 U.S.C. 3611 and 3721; 31 U.S.C. 3701, 3711, 3717–3718, 3721; 46 U.S.C. 1300 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information or a record from this system may be furnished to and information acquired from federal, state, local or foreign agencies, the claimant and other parties of interest in connection with the audit and settlement of claims and demands by or against the former Canal agencies, and the Commission, such as the following:

1. Lawyers representing claimants or the agency.
2. Labor unions representing claimants.
3. Contractors who furnish services to the Panama Canal Commission such as the packing, crating, and transportation of household goods and personal effects of employees under recruitment and repatriation.
4. Consultants who furnish services to the Panama Canal Commission, i.e., doctors, engineers, management firms, etc.
5. Transportation companies such as airlines, steamship companies, railroads, buses, and car rental agencies who furnish services to the Panama Canal Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records maintained in file folders.

Retrievability:

Filed alphabetically by name of claimant.

Safeguards:

Records are maintained in lockable file cabinets and computer and word processor system in office locked when not in use. Data is on magnetic tape which requires a restricted password to gain access. Access to use the system and its records is limited to employees whose official duties require such access. Magnetic tapes and disks are secured in a locked storage area and are only accessible to individuals engaged in adjudicating travel and transportation claims.

Retention and disposal:

Disposal not authorized. Retention period pending further discussion with National Archives and Records Administration.

System manager(s) and address:

Chief, Agents Accounts Branch, Panama Canal Commission, APO Miami 34011–5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011–5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedure, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Claimants, officials of Panama Canal Commission, other government officials, private individuals and companies.

PCC/FMTR-1

System name:

Termination of Employment Actions Records, PCC/FMTR-1.

System location:

Treasurer's Office, Building 287, Ancon, Republic of Panama.

Categories of individuals covered by the system:

All employees of the Panama Canal Commission terminating their employment with this agency.

Categories of records in the system:

Employee's name, identification number, position and grade, post office address, house number and town, office and home telephone number, date of termination, future mailing address, nature of termination, reason for termination, disposition of final pay, date of travel, transportation request, members of family with whom traveling, final destination, destination of household effects, signature of employee, employee's position number, roll and gang, whether recruited from states and whether replacement is required.

Authority for maintenance of the system:

5 U.S.C. 301; 22 U.S.C. 3611, 3652 and 3654 (Supp. III 1979); 44 U.S.C. 3101; article III and X of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

8 by 10½ printed form 194-T.

Retrievability:

Indexed by name and identification number.

Safeguards:

Records maintained in locked file. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed after 4 years.

System manager(s) and address:

Treasurer, Panama Canal Commission, APO Miami 34011.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, R.P. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

From employee and employing Unit, Division, or Bureau.

PCC/FMTR-2

System name:

Internal Revenue Service Notice of Levy Files, PCC/FMTR-2.

System location:

Treasurer's Office, Building 287, Ancon, Republic of Panama.

Categories of individuals covered by the system:

Employees of the Panama Canal Commission whose salaries are being levied by the U.S. Internal Revenue Service.

Categories of records in the system:

Employee's name, address and social security number, amount of Federal income tax owed to Internal Revenue Service, tax period ended, date and amount of assessment, unpaid balance of assessment and statutory additions.

Authority for maintenance of the system:

Chapter 64, Internal Revenue Code of 1954; 22 U.S.C. 3611 (Supp. III 1979) and Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To disclose to the Internal Revenue Service that the employee has been notified of his or her indebtedness, and to collect amounts owed and forward same to Internal Revenue Service to satisfy levy. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed form, 8 by 10½ inches.

Retrievability:

Indexed by name.

Safeguards:

Records maintained in locked file. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed when 3 years old.

System manager(s) and address:

Treasurer, Panama Canal Commission, APO Miami 34011.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Buildings, Balboa Heights, R.P. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Internal Revenue Service, Panama Canal Commission payroll records and the individual on whom record is maintained.

PCC/FMTR-3

System name:

Suspension of Check Cashing Privileges Files, PCC/FMTR-3.

System location:

Treasurer's Office, Building 287, Ancon, Republic of Panama.

Categories of individuals covered by the system:

Persons who have cashed unnegotiable checks, and persons who request cancellation or suspension of their own check-cashing privilege.

Categories of records in the system:

Records maintained to assist in attempts to recover losses from bad checks and to aid in the determination of whether a person's checks are acceptable or whether credit may be extended to a person. Records may show the individual's name, social security number (optional) and identification number (if any), employer, telephone number, dates the checks were returned, dates of checks, number of checks returned, and monetary value of each check.

Authority for maintenance of the system:

22 U.S.C. 3611 and 3721 (Supp. III 1979) and Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Listings disclosed to U.S. Government check-cashing facilities in the Canal area, including Army, Navy, and Air Force Exchanges, Information may be disclosed to commercial banks, credit agencies, labor unions, and employers consistent with collection practices. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Cards and listings.

Retrievability:

Indexed by name.

Safeguards:

Stored in locked file in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Lists are destroyed when superseded by new lists. Cards are destroyed when no longer required for control purposes.

System manager(s) and address:

Treasurer, Panama Canal Commission, APO Miami 34011.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, R.P. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Banks or clearing houses to which checks are sent for negotiation and the subject individual.

PCC/GA-1

System name:

Cash Audit Files, PCC/GA-1.

System location:

Office oif General Auditor, Bldg. 6530, Corozal, Republic of Panama.

Categories of individuals covered by the system:

Panama Canal Commission collecting agents whose accounts are audited by the Office of General Auditor.

Categories of records in the system:

Records of cash audits to evaluate internal controls over cash and determine whether the custodian is carrying out his responsibilities with respect to Government property and to identify weaknesses in cash controls and to make necessary changes in those controls. In case of cash shortages, records are used to determine amount recoverable from agent. Records contain information such as the identifying agent number, employee's name, employing unit, and employee's accountability at the time the audit was performed. In instances where cash shortages are found, the records will also contain information on the recovery of these amounts from the agents.

Authority for maintenance of the system:

22 U.S.C. 3611 and 3721 (Supp. III 1979) and Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Payee records in file folders.

Retrievability:

Filed by fiscal year and agent number audited. Retrievable by name.

Safeguards:

Stored in locked file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed by burning after ten years.

System manager(s) and address:

General Auditor, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Administration Bldg., Balboa Heights, R.P. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject individuals, auditors, and employees of Agents Accounts Branch.

Systems exempted from certain provisions of the act:

All Information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures of access and contest set forth in the agency's regulations. See 35 CFR 10.22.

PCC/GCCL-1

System name:

Marine Accident/Miscellaneous General Claims, GCCL-1.

System location:

Office of General Counsel, Claims, Administration Building, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

Shipping companies, crew members, passengers, pilots and other employees of the Panama Canal Commission who are involved in ship accidents which occur in the Panama Canal; third paties; and employees of the Panama Canal Commission who sustain loss of or damage to personal property incident to Government service.

Categories of records in the system:

Information or documents to settle claims for damage to vessels or to the cargo; injury to crew members or passengers of vessels which may arise by reason of their passage through the locks of the Panama Canal under the control of officers or employees of the United States; for injury to, or loss of, property or for personal injury or death, arising from the operation of the Panama Canal or related facilities and appurtenances; loss of or damage to personal property sustained by employees incident to Government service.

Authority for maintenance of the system:

22 U.S.C. 3761, 3771–3777, 31 U.S.C. 3721.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information or a record from this system may be disclosed to federal, state, local or foreign agencies, the claimant and other parties of interest in connection with the audit and settlement of claims and demands by or against the former Canal agencies and the Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records maintained in file folders.

Retrievability:

Filed numerically by name of claimant.

Safeguards:

Records maintained in lockable file cabinets in office which is locked after office hours. Access to and use of these records are limited to those individuals whose official duties require such access.

Retention and disposal:

Disposal not authorized. Retention period pending submission of SF 115 to National Archives and Records Administration.

System manager(s) and address:

Supervisory General Claims Examiner, Office of General Counsel, Panama Canal Commission, APO Miami 34011–5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011–5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedure, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Claimants (Panama Canal Commission employees, third parties) attorneys representing claimants, agency administrative reports, hospital reports, insurance company reports and motor vehicle traffic reports/Court Resolutions.

Systems exempted from certain provisions of the act:

All information in this system which is investigatory material or would reveal the identity of confidential sources is exempted from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the Agency's regulations. See 35 CFR 10.22.

PCC/GSCE–1

System name:

Emergency Preparedness Records (Civil Defense/Emergency Management), PCC/GSCE–1.

System location:

Various locations in the Commission as may be designated by the Agency Records Officer, Personnel Director, or other appropriate officials.

Categories of individuals covered by the system:

Those persons to whom, and by whom, emergency services would be rendered in times of emeregency or natural disaster.

Categories of records in the system:

As may be required, the names, addresses, ages, employment, citizenship, next of kin and other information needed to identify persons who may provide, or required, temporary housing assistance, medical care, etc., in times of emergency or natural disaster.

Authority for maintenance of the system:

22 U.S.C. 3611 (Supp. III 1979) and Article III of the Panama Canal Treaty of 1977; E.O. 11490 of October 28, 1969.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Forms in file folders.

Retrievability:

By name.

Safeguards:

Stored in lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal:

Retained until revised or no longer required.

System manager(s) and address:

Chief, Emergency Preparedness Officer, Panama Canal Commission, APO Miami 34011.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, R.P. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

The individual, employer, and Housing and Personnel Bureau records as required.

PCC/GSCL–1

System name:

Library Services Branch Registration Record, PCC/GSCL–1.

System location:

Library Services Branch, Bldg. 0610, Ancon, Republic of Panama.

Categories of individuals covered by the system:

Individuals authorized to borrow material from Library.

Categories of records in the system:

Borrower's name, identification number or Serial number, mailing address, citizenship, dependents, employer.

Authority for maintenance of the system:

5 U.S.C. 301, 22 U.S.C. 3611 (Supp. III 1979); and Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Card file cabinets of forms.

Retrievability:

By borrower's name and card number.

Safeguards:

Records are maintained in locked file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed one year after borrowing privilege has been cancelled. Destroyed by burning.

System manager(s) and address:

Chief, Technical Resources Center, Panama Canal Commission, APO Miami 34011–5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011–5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

From individual on whom record is maintained.

PCC/GSCP-2

System name:

Canal Protection Division Incident Report Files, PCC/GSCP-2.

System location:

Canal Protection Division Pacific and Atlantic Area Chiefs' Offices, at Bldg. 6534 Corozal, Republic of Panama and Bldg. 40, Gatun, Republic of Panama respectively.

Categories of individuals covered by the system:

Persons who are or have been subjects of investigation by Canal Protection Division personnel, including those detained and those who have committed, or are alleged to have committed, violations of laws or regulations in areas protected by the Canal Protection Division.

Categories of records in the system:

Incident reports, index cards and logbooks containing information such as subject's name identification number, occupation and employing unit and, when a subject has been barred from vital areas, a notation to that effect; date and time of incident and report; name of person making the report; information concerning the incident or detention; and witnesses or victims' names, identification numbers and employing units.

Authority for maintenance of the system:

22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977; and Article III, paragraph 8, of the Agreement in the Implementation of Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A. Information in connection with actual or potential violations of the security of areas guarded by the Canal Protection Division may also be disclosed to intelligence units or agencies of the United States Government including the State Department and Department of Defense, and officials of the Government of Panama.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms 8½ by 11 inches, logbooks and disks.

Retrievability:

Chronological logbook and specific variable searches give cross-reference to incident reports filed in numerical order.

Safeguards:

Active files maintained in file cabinets in Area Chiefs' offices. File cabinets locked when not in use. Inactive files maintained at Agency Records Center, a building locked when not in use. Access to files and filing areas restricted to authorized personnel.

Retention and disposal:

Activity reports retained at Area Chiefs' offices for two years, subsequently held at Agency Records Center for three more year, then destroyed Index cards retained for up to ten years after date of last entry.

System manager(s) and address:

Chief, Canal Protection Division, Panama Canal Commission, APO Miami 34011-5000.

Systems exempted from certain provisions of the act:

All information in this system is exempt from certain subsections of the Privacy Act of 1974, 5 U.S.C. 552a, and from the procedures for access and contest set forth in the agency's regulations, See 35 CFR 10.21 and 10.22

PCC/GSCS-1

System name:

Housing Files, PCC/GSCS-1.

System location:

Housing Offices, Community Services Division, Balboa Heights and Margarita, Republic of Panama.

Categories of individuals covered by the system:

Persons residing in Panama Canal Commission quarters and in housing maintained by religious, commercial and charitable organizations in the Canal area.

Categories of records in the system:

Assignment and occupancy of Panama Canal Commission quarters, including information on assignee's name, eligibility, service date, identification number, address, family, size, and citizenship; name of spouse and dependents; dates of occupancy; rental and other related information; persons allowed to reside or visit with assignees; investigations of misconduct in quarters; and reports of violations of quarters regulations.

Authority for maintenance of the system:

22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977 and Articles III and VI of the Agreement in Implementation of Article III of the Panama Canal Treaty.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statements or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed or retrievable alphabetically by name.

Safeguards:

Stored in locked metal file cabinets in buildings locked when not in use or with around-the-clock guard. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed three years after occupants' termination of service.

System manager(s) and address:

Chief, Community Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager of the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject individuals, official personnel files, entry permits, dependency determinations, housing personnel, maintenance personnel, neighbors, and officials of other organizations maintaining housing in the Canal Area.

PCC/GSCS-2

System name:

Housing Complaints File, PCC/GSCS-2.

System location:

General Services Bureau, Bldg. 28, Balboa, Republic of Panama.

Categories of individuals covered by the system:

Occupants of Panama Canal Commission quarters whose cases have been referred to the Quarters Retention Committee.

Categories of records in the system:

Complaints, investigations, testimonies, hearings, and decisions bearing on an occupant's eligibility to retain Panama Canal Commission quarters.

Authority for maintenance of the system:

22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977; and Articles III and VI of the Agreement in Implementation of Article III of the Panama Canal Treaty.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed or retrievable alphabetically by name.

Safeguards:

Stored in locked metal file cabinets in buildings locked when not in use or with around-the-clock guard. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed by burning or shredding five years after occupant is no longer eligible for residence in the Commission housing.

System manager(s) and address:

Administrative Officer, General Services Bureau, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject individuals; complainants investigatory personnel, including police and customs officials; officials of the Canal agencies; witnesses; Quarters Retention Committee; and court officials and records.

Systems exempted from certain provisions of the act:

All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.22.

PCC/GSCX-1

System name:

Administrative Reports, Transfer of Custody and Official Complaint Files, PCC/GSCX-1.

System location:

Office of Area Coordination, Bldg. 5140, Diablo, and Bldg. 7998, Margarita, Republic of Panama.

Categories of individuals covered by the system:

Commission employees, their dependents, and other eligible persons.

Categories of records in the system:

Cases involving the Transfer of Custody of Commission employees or their dependents, and copies of their Panamanian Court dispositions. Cases involving the theft of Commission property, including records on the value of Commission recovered or stolen property and copies of Panama's National Department of Investigations reports on these cases. Records of shoplifting cases or other misconduct referred to the Area Coordination by either the U.S. military or Government of Panama law enforcement authorities for review, counseling and/or administrative action to be carried out by the appropriate Commission officials. Additionally, records on individuals provided assistance or requested assistance from the Offices of Area Coordination, including any involvement with authorities of the Government of Panama.

Authority for maintenance of the system:

22 U.S.C. 3611, 3622 (Supp. III 1979); Articles III, V, and IX of the Panama Canal Treaty of 1977; Articles XVI and XIX and Annex C of the Agreement in Implementation of Article III of the Panama Canal Treaty.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

May be released to U.S. military law enforcement agencies, the U.S. Embassy, and Government of Panama law enforcement authorities as necessary to report arrests, assist employees or assist in investigations. See also the general routine uses in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders and index cards. Also recorded in a computer. Stored in locked metal file cabinets in building which is locked when not in use. Access and use are restricted to authorized personnel for official use.

Retrievability:

By name of person assisted or primarily about.

Safeguards:

Active files maintained in locked file cabinets or in safes when not in use; computer timesharing data accessible through use of code names and numbers, restricted to authorized personnel.

Retention and disposal:

Reports will be held for six years and then destroyed. Computer timesharing data will be expunged simultaneously.

System manager(s) and address:

Chief of Operations, Office of Area Coordination, General Service Bureau, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests from individuals should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Information is obtained from the individual or from reports from U.S. military or Government of Panama authorities.

Systems exempted from certain provisions of the act:

All information in this system which is investigatory material obtained from or related to the law enforcement sources of the U.S. military or Government of Panama authorities, of records created which would reveal the contents or substance of such records, or would reveal the identity of confidential sources, is exempt from certain subsections of 5 U.S.C 552a and from the procedures for access and contest set forth in the Agency's regulations. See 35 CFR 10.22. Certain reports in the system may be classified under Executive Order 12356, National Security Information.

PCC/IR-1

System name:

Quarterly Report of Employee Union Dues Deductions, PCC/IR-1.

System location:

Office of Industrial Relations, Bldg. 37, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

Current Panama Canal Commission employees who pay union dues through payroll deductions.

Categories of records in the system:

Name of employee, identification number and dues deduction amounts. Payroll information cross-referenced with payroll dues deduction requests received from unions and individual employees.

Authority for maintenance of the system:

5 U.S.C. 5525 and 7115; 22 U.S.C. 3611 and 3701; Articles III and X of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer printout provided upon request by the Data Processing Division, Panama Canal Commission.

Retrievability:

Reported by employee identification number and name.

Safeguards:

Maintained in locked cabinet. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed every three months upon receipt of updated quarterly listings.

System manager(s) and address:

Director of Industrial Relations, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Office, Panama Canal Commission, APO Miami 34011-5000.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

The employee's payroll dues deduction request.

PCC/IR-2

System name:

Records of Grievances, Appeals, and Adverse Actions Processed Under A Negotiated Grievance Procedure (NGP), PCC/IR-2.

System location:

Office of Industrial Relations, Bldg. 37, Balboa, Republic of Panama.

Categories of individuals covered by the system:

Current and former employees of the Panama Canal Commission whose grievances related to disciplinary and adverse actions and to other complaints have been referred to binding arbitration by a certified representative in accordance with an appropriate negotiated grievance procedure.

Categories of records in the system:

Case files on employee grievances and adverse or disciplinary action appeals containing the formal grievance or appeal; background, supporting, and investigatory information; record of hearing, arbitrator's award and related documents.

Authority for maintenance of the system:

5 U.S.C. 1302, 3301, 3302, 5 CFR Parts 752, 754, 771; and Chapters 71 and 75; 22 U.S.C. 3611, 3671 (Supp. III 1979); Articles III and X of Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See General Routine Use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in the file folders, index cards.

Retrievability:

Filed alphabetically by name of employee or by an identification number.

Safeguards:

Stored in metal file cabinets and desks in rooms locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Grievance records disposed of 3 years after closing of the case. Adverse actions records disposed of 4 years after closing of the case. Disposal is by shredding or burning. Index cards showing status of action on current cases are destroyed when cases are completed. Exceptions: Some case files of a precedential nature are retained beyond retention period for study and reference.

System manager(s) and address:

Director of Industrial Relations, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Individuals who have filed appeals or grievances are aware of that fact and have been provided a copy of the record. They may, however, contact the Systems Manager regarding the existence of such records pertaining to them. Individuals should provide to the Systems Manager their name, date of birth, identification number, and the approximate date and kind of action taken by the agency when making inquires about records.

Record access procedures:

Requests should be addressed to the Systems Manager.

Contesting record procedures:

The contest, amendment, or correction of an appeal or grievance record is permitted during the prosecution of the appeal or grievance by the individual to whom the record pertains. For contest after case has been closed, see rules published in 35 CFR Part 10.

Record source categories:

Individuals to whom the record pertains; officials of the Canal agencies; witnesses; official documents related to the appeal or grievances; and others involved in the grievance or appeal procedure.

PCC/MRBL-1

System name:

Marine License Files, PCC/MRBL-1.

System location:

Board of Local Inspectors, Bldg. 5140, Diablo, Republic of Panama.

Categories of individuals covered by the system:

All permanent employees of the Panama Canal Commission in positions for which a Panama Canal marine license is required. Subsystem include individual applications and examination papers filed in license file, Records Section, Records Management Branch, Administration Building.

Categories of records in the system:

Employee's name, identification number, employing unit, work area, size and type of license, competence of applicant, examination grades promotions, salaries, license serial number.

Authority for maintenance of the system:

22 U.S.C. 3611 and 3778 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Book shelf for license stubs, file cabinet for file folders with correspondence and card file for license cards.

Retrievability:

Indexed by name; by license serial number.

Safeguards:

File folders in lockable file cabinet. Cards and license stubs available for unit personnel screening. Access and use are restricted to authorized personnel.

Retention and disposal:

Retain 5 years after termination of employee and then transfer to FRC-Atlanta. Destroy 55 years after first entry in records.

System manager(s) and address:

Chairman, Board of Local Inspectors, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

From individual; Proctors for examinations; Port Captains, examination graders; Board of Local Inspectors.

Systems exempted from certain provisions of the act:

All information in this system which is testing or examination material is exempt from certain subsections of 5 U.S.C. 552a and from the procedure for access and contest set forth in the agency's regulations. See 35 CFR 10.22.

PCC/MRBL-2

System name:

Marine Accident Reports and Investigations, PCC/MRBL-2.

System location:

Board of Local Inspectors, Bldg. 5140, Diablo, Republic of Panama, and Data Processing Division, Administration Bldg., Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

Panama Canal Commission pilots involved in marine accidents during transit operations; and persons injured in marine accidents during transit operations (since 1960).

Categories of records in the system:

Findings of marine accidents that are investigated include: Pilot's name, case number, vessel description (name, type, length, beam), date, time and location of accident, type of accident (grounding, collision, sinking, injury, etc.), direction vessel was traveling, damage type and dollar estimate, fault or no fault, transcript of hearing held by the Board of Local Inspectors name of injured parties, medical report on injured parties, and other information which may be pertinent to the Board's investigation. Administrative reports prepared by Navigation Division for marine accidents not investigated include: Pilot's name, report number, date and time of accident, vessel description (name, type, length, and beam), accident location, direction vessel was traveling, accident type, signed release (if provided by vessel making no claim).

Authority for maintenance of the system:

22 U.S.C. 3777–3778 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977; 35 CFR Parts 115 and 117.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The final published report of findings of an investigation is available to the public. Information about an accident under investigation may be disclosed to parties having a legitimate interest therein, such as owners or operators of vessels, insurance underwriters, legal counsel. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer tapes and disks, paper printouts, logs, charts, cassette tapes, paper files, transcripts of Board proceedings with original exhibits and appendices, cassette tapes, and shorthand notes.

Retrievability:

Pilot's name code, case number, and most other data elements in the system.

Safeguards:

On-line access restricted to a limited number of authorized personnel who use a confidential identifying code and access code. One person has been designated to maintain control of all input documents and issuance of report information. All paper records and computer tapes/disks are kept in a locked cabinet or secure area when not in use.

Retention and disposal:

Retention pending submission of SF 115 to NARA.

System manager(s) and address:

Chairman, Board of Local Inspectors, Panama Canal Commission, APO Miami 34011-5000.

Notification rocedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests from individuals should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individuals involved in accident, administrative reports from Marine Transit Operations Division personnel, investigations by the Board.

PCC/MRCP-1

System name:

Pilot Workload Statistics, PCC/MRCP-1.

System location:

Office of the Chief Pilot, Marine Traffic Control Center, Bldg. 910, La Boca, Republic of Panama; and Data Processing Systems Division, Administration Bldg., Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

Panama Canal pilots.

Categories of records in the system:

A pilot master file and information for producing reports on the workload of the pilot force. The master file contains information such as pilot's name, identification number, mailing address, home telephone number, residence, education level, professional licensing data, and officer and maritime experience. Also included is such Panama Canal Commission employment information as employee status, pilot's home district, qualification and group numbers, seniority number and date, and termination dates and reasons. Reports produced include, for each pilot, such information as daily details of transits, hours worked, travel hours, and available time.

Authority for maintenance of the system:

22 U.S.C. 3811 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977; 35 CFR Part 105.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape and punched cards; computer printouts; computer input forms.

Retrievability:

By name of pilot.

Safeguards:

Computer printouts and input forms kept in lockable cabinets in rooms locked when not in use. Magnetic tapes kept in locked rooms when not in use. Access and use restricted to authorized personnel.

Retention and disposal:

Input forms kept at Marine Traffic Control Center up to three months then sent to Agency Records Center, where retained for three years and then destroyed. Pilot master file purged and updated weekly; workload data retained on magnetic tape indefinitely. Computer printouts retained up to one year at Transit Operations Center, then sent to Agency Records Center, where retained for three years and then destroyed.

System manager(s) and address:

Chief, Pilot Rotation and Scheduling Unit, Office of the Chief Pilot, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Pilots.

PCC/MRNA-1

System name:

Admeasurer Examination File, PCC/MRNA-1.

System location:

Admeasurement Office, Bldg. 729, Balboa, Republic of Panama.

Categories of individuals covered by the system:

All Boarding Inspectors, Admeasurer assistants, and Admeasurers.

Categories of records in the system:

Examinations, answer sheets, scoring sheets, evaluation sheets.

Authority for maintenance of the system:

Presidential Proclamation 2248, August 28, 1937, continued in force by virtue of Sec. 19 of Act, October 18, 1962, 76A Stat. 1,700; 22 U.S.C. 3811 (Supp. III 1979); 35 CFR 133.32 and 135.441; Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine uses paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Manila folders.

Retrievability:

By name.

Safeguards:

Maintained in lockable file cabinet. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed upon employee termination.

System manager(s) and address:

Director of Admeasurement, Panama Canal Commission, APO Miami 34011-5000.

Systems exempted from certain provisions of the act:

All information in this system which is testing or examination material is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.22.

PCC/MRNP-1

System name:

Employee Training Development Records, PCC/MRNP-1.

System location:

Office of Assistant Marine Director for Maritime Traning, Bldg. 729 and Bldg. 29-X, Balboa, Republic of Panama.

Categories of individuals covered by the system:

Panama Canal Commission pilots in training, pilot understudies, towboat masters and towboat engineers.

Categories of records in the system:

Records on training and development of current and former employees participating in the Marine Bureau training programs for pilot, pilot understudy, towboat master and towboat engineer.

Authority for maintenance of the system:

22 U.S.C. 3811 (Supp III 1979); Article III of the Panama Canal Treaty of 1977; 35 CFR Part 105.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general Routine Use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders, cards and individual forms.

Retrievability:

Filed alphabetically by name.

Safeguards:

Stored in metal file cabinets in building locked when not in use. Access to and use of these records are limited to those individuals whose official duties require such access.

Retention and disposal:

Paper records manually maintained. Trainee enrollment, examination records and transit/watch record logs retained permanently.

System manager(s) and address:

Assistant Marine Director (Maritime Training), Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedure, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Employees in pilot and towboat training programs.

Systems exempted from certain provisions of the act:

All information in this system which is testing or examination material is exempted from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the Agency's regulations. See 35 CFR 10.22.

PCC/MRNV-1

System name:

Marine Accident Reference Cards, PCC/MRNV-1.

System location:

Navigation Division, 2nd floor, Building 28, Balboa Industrial Area, Balboa, Republic of Panama.

Categories of individuals covered by the system:

Panama Canal Commission. Pilots employed by the Navigation Division.

Categories of records in the system:

Employee's name, identification number, date of birth, dates of promotion, and ship accident data; including the ship's name, description, date of occurrence and fault or no fault of employee involved. When a ship incident does not require a Board of Local Inspector's investigation, an administrative report noting the date, ship's name and description is included.

Authority for maintenance of the system:

22 U.S.C. 3777-3778 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977; 35 CFR Part 117.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper cards and sheets.

Retrievability:

Filed alphabetically by last name.

Safeguards:

Kept in lockable file cabinet or desk. Access and use are restricted to authorized personnel.

Retention and disposal:

No retention schedule established. Retained indefinitely.

System manager(s) and address:

Administrative Officer, Navigation Division, Panama Canal Commission, APO Miami 34011.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, R.P. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Chairman, Board of Local Inspectors, Deputy for Support Operations.

PCC/OM-1

System name:

Ombudsman Investigation Files, PCC/OM-1.

System location:

Office of the Ombudsman, Building 37, Balboa, Republic of Panama.

Categories of individuals covered by the system:

Employees and former employees, and dependents of the Panama Canal Commission, Department of Defense, Smithsonian Tropical Research Institute, Federal Aviation Administration, and any other U.S. Government agency operating prior to October 1, 1979 in the former Canal Zone, who have submitted complaints, grievances, requests, or suggestions to the Ombudsman.

Categories of records in the system:

Employee's or dependent's name, identifying number, residence, citizenship, employing unit, mailing address, description or history of problem, facts and observations of investigation, and other materials placed into the record to complete the case file and to document the actions, decisions, findings, or recommendations of the Ombudsman.

Authority for maintenance of the system:

22 U.S.C. 3611 and 3623 (Supp. III 1979); Article III of the Panama Canal Treaty of 1979.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in the system may be disclosed to other U.S. Government agencies or Government of Panama officials as necessary to investigate the matter under review by the Ombudsman. See also the general routine uses in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders; and logs.

Retrievability:

Filed by case number; reference to log enables retrieval by individual's name.

Safeguards:

Records maintained in locked security filing cabinet or safe in building which is locked after duty hours. Access and use are restricted to authorized personnel.

Retention and disposal:

Retained 5 years after final disposition of case, then destroyed.

System manager(s) and address:

Ombudsman, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, AOP Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests from individuals should be addressed to either of addressees designated in Notification Procedure, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Information is obtained from the complainant/suggestor, and from various other sources in the course of investigations.

Systems exempted from certain provisions of the act:

All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.22.

PCC/OM-2

System name:

Residents' Advisory Committee Files, PCC/OM-2.

System location:

Residents' Advisory Committee Liaison, Gatun Community Center Bldg. 206, Gatun, Republic of Panama.

Categories of individuals covered by the system:

Residents' Advisory Committee Officers; Panama Canal Commission employees and officials; local officials; officers of local organizations; official visitors.

Categories of records in the system:

Telephone numbers; addresses; photographs; stenographic transcriptions of Residents' Advisory Committee meetings, recordings, speeches, etc.

Authority for maintenance of the system:

5 U.S.C. 301; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To establish appointment schedules, contact protocol counterparts in other agencies. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Standard 8 by 10½ inch paper, index cards.

Retrievability:

Indexed by name.

Safeguards:

Records maintained in lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal:

Maintained indefinitely pending submission of SF 115 to NARA. Forwarded to Agency Records Center for disposition.

System manager(s) and address:

Ombudsman, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individual on whom the record is maintained.

PCC/OPR-1

System name:

Operating Unit Personnel Records, PCC/OPR-1.

System location:

May be maintained in Section, Branch, Division, Independent Unit, Staff Office, Bureau or other employing unit to which employee is assigned.

Categories of individuals covered by the system:

Former and present employees with category of full-time permanent, part-time permanent, full-time temporary, part-time temporary, and intermittent.

Categories of records in the system:

Records maintained by operating officials and used in administering employees and organizational segments under their technical and administrative control. They include office copies of documents kept in the official personnel folder and documents pertaining to the administration of individual employees which are not appropriate for inclusion in the official personnel folder. The records may contain information such as: Employee's name, Panama Canal Commission identification number; mail address; home address and telephone number; social security number (optional); birth date; marital status; position number and title; position descriptions; employment history; educational qualifications; professional qualifications; performance review and evaluation; including date and rating; training and management development records, including types of courses taken and completion dates; special assignments; counseling interview record; award data; commendations; oral admonishments; disciplinary, adverse, and other personnel actions; grievances; leave and travel records, including official business travel vouchers; accident or injury records; attendance and absenteeism records; relief assignment records; job equipment checkout listings; U.S. Government vehicle and equipment operators license records; work, overtime and shift schedules; timekeeping records; tuition refund agreements; key and equipment inventory control listings; potential retirement date listings; native and foreign languages; blood donor information; copies of W-4, employee withholding statements; names, addresses and telephone numbers of next of kin for notification in emergency situations; participation in civic, welfare, recreational and union activities; eligibility for tropical differential.

Authority for maintenance of the system:

5 U.S.C. 301; 22 U.S.C. 3611 (Supp. III 1979); 44 U.S.C. 3101; Articles III and X of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To have as ready reference for use in compiling training reports required by the Office of Personnel Management; referrals to promotion boards; in responding to inquiries from professional and medical societies, bar associations, prospective employers, employment agencies, etc., concerning personal characteristics and qualifications, employment background, job performance and advancement potential, etc. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files maintained in file folders stored in desk drawers or filing cabinets.

Retrievability:

Employee name.

Safeguards:

Paper records maintained in lockable file cabinets or supervisor's desk. Access and use restricted to authorized personnel.

Retention and disposal:

Folders are reviewed at the end of each calendar year. Documents whose retention period have expired or are no longer applicable are destroyed by burning or shredding one year after transfer or separation by the employee.

System manager(s) and address:

Head of Branch, Division, Independent Unit where employee works.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Supervisor/Unit records.

PCC/OPR-2

System name:

Operating Unit Employment Inquiry Files, PCC/OPR-2.

System location:

May be maintained in Section, Branch, Division, Independent Unit, Staff Office, Bureau or other unit receiving informal inquiries or requests for employment.

Categories of individuals covered by the system:

Members of the public and employees of other units or agencies who anticipate, or are in the process of applying for jobs with the Panama Canal Commission unit maintaining the record.

Categories of records in the system:

Records maintained by operating officials to whom applicants have applied directly for employment. The records may contain copies of SF-171, application for Federal employment, showing applicant's name, address, telephone number, social security number, employment experience, school transcripts, educational, professional or skilled craft history and background, native or foreign languages, other skills, awards or special commendations, references, statements from previous employers, resumes, etc. May also contain record of interviews, if any, name of interviewer, and evaluation of applicant.

Authority for maintenance of the system:

22 U.S.C. 3611 (Supp. III 1979); Articles III and X of the Panama Canal Treaty of 1979.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders stored in desk drawers of file cabinets.

Retrievability:

Filed alphabetically by name of applicant.

Safeguards:

Maintained in lockable file cabinet or operating unit official's desk. Access and use are restricted to authorized personnel.

Retention and disposal:

Records may be sent to Panama Area Personnel Board for determination of applicant's eligibility and consideration for employment under the Canal Zone Merit System (and the Panama Canal Employment System when it replaces the Canal Zone Merit System, pursuant to the Panama Canal Act of 1979); directly for consideration of vacancy is excluded from Canal Zone Merit System (and the Panama Canal Employment System) returned to applicant; or destroyed twelve months after initial inquiry.

System manager(s) and address:

Official in Section, Branch, Division, Independent Unit, Staff Office or Bureau maintaining such records.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, R.P. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

From individual to whom information applies.

Systems exempted from certain provisions of the act:

All information in this system which would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations as part of systems PCC/PB-1 or, if position is exempt from Canal Zone Merit System, (and the Panama Canal Employment System), PCC/PR-5.

PCC/PA-1

System name:

News Morgue Records, PCC/PA-1.

System location:

Office of Public Affairs, Administration Building, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

Newsworthy and potentially newsworthy individuals.

Categories of records in the system:

Records maintained as a ready reference from which to obtain background information for news stories and articles about individuals for publication in house organs and news media. Records include biographical sketches, press releases, media clippings, interview notes, and photographs.

Authority for maintenance of the system:

5 U.S.C. 301; 22 U.S.C. 3611; 44 U.S.C. 1108 and 3101; Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure to news media and other publishers for publication is authorized. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Index cards, individual forms, and paper records in file folders.

Retrievability:

Filed alphabetically by name of individual.

Safeguards:

Stored in file cabinets in building with around-the-clock guards. Access and use are restricted to authorized personnel.

Retention and disposal:

Permanent.

System manager(s) and address:

Administrative Officer, Office of Public Affairs, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miama 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, proceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject individuals, individuals interviewed about subject individuals, and information published about subject individuals.

PCC/PB-1

System name:

Merit System Recruiting, Examining, and Placement Records, PCC/PB-1.

System location:

Panama Area Personnel Board, Bldg. 6531, Corozal, Republic of Panama, and Central Examining Office, Building 363, Ancon. R.P., and personnel and other offices of Federal agencies in Republic of

Panama authorized to make appointments to positions and to act for the Board by delegated authority.

Categories of individuals covered by the system:

Individuals seeking eligibility for positions with Federal agencies in the Republic of Panama and current and former employees of Federal agencies in the Republic of Panama.

Categories of records in the system:

Records compiled for determining an individual's suitability, qualifications, and ratings to establish status for eligibility for employment: For referring and placing individuals for employment, transfer, promotion, reassignment, and reappointment; and for providing statistical information for conducting personnel research and management studies. They contain information concerning education and training: Employment history and earnings; appraisal of past performance by current and previous employers, educators, and personal references; convictions for offenses against the law; responses to test items and questionnaires; results of tests; rating sheets; appraisals of potential; honors, awards, or fellowships; military service and veterans preference; birthdate and birthplace; citizenship; identification numbers; legal residence; home addresses and telephone numbers; general suitability and medical fitness for Federal employment; applicant's conditions and preferences for employment; special qualifications; registers and certificates of eligibles; actions taken; and related correspondence.

Authority for maintenance of the system:

22 U.S.C. 3652, 3654, 3661-3664 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement of in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders, individual forms and cards, and computer printouts.

Retrievability:

Filed or retrievable alphabetically by name of individual and by date of birth.

Safeguards:

Sensitive information is stored in locked metal file equipment and other records are stored in metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Applications and supporting documents:

a. Transferred to employing agency when applicant is selected for permanent appointment.

b. Transferred to designated U.S. Civil Service Commission area office on transfer of eligibility.

c. Eligible applicants; Destroyed 10 years after termination of register.

d. Cancelled or ineligible applicants: Destroyed two years after date register is established or upon termination of the register, whichever is earlier.

e. Vouchers and correspondence are filed with applications. Index Cards:

a. Permanent Examination Records Cards: Destroyed 10 years after termination of register.

b. Pending Record Cards are destroyed upon completion of processing and rating of applications.

Certificates of eligibles: Destroyed 2 years after date of certificate. Register of eligibles destroyed 10 years after termination of register Routine Examining Program Test Answer Sheets.

a. Eligibles answer sheets are destroyed after three years.

b. Ineligibles answer sheets are destroyed after six months.

Other records, permanent.

System manager(s) and address:

Executive Director, Panama Area Personnel Board, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager, his delegate the Manager, Central Examining Office or the Agency Records Officer, Panama Canal Commission, APO Miama 34011-5000. Individual should provide name, date of birth, approximate date of record, and title of examination or announcement with which concerned. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to one of the addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10

Record source categories:

Subject individuals, employers, schools, references, neighbors, associates, credit bureaus, law enforcement agencies, probation officials, prison officials, personnel managers, medical officers and records, government agencies, and others.

Systems exempted from certain provisions of the act:

All information in this system which would reveal the identity of confidential sources or is testing or examination material is exempt from certain subsections of 5 U.S.C. 552a and from the procedures set forth in the agency's regulations. See 35 CFR 10.22.

PCC/PB-2

System name:

Appeals, Grievances, Complaints, and Assistance Records, PCC/PB-2.

System location:

Panama Area Personnel Board, Bldg. 6531, Corozal, Republic of Panama and Central Examining Office, Building 363, Ancon, R.P., and personnel and other offices of Federal agencies in the Republic of Panama authorized to make appointments to positions and act for the Board by delegated authority.

Categories of individuals covered by the system:

Applicants for Federal employment and current and former Federal employees in the Republic of Panama who have appealed a qualification or rating or who have registered complaints or made requests for assistance on any phase of the operations of the board and the Central Examining Office.

Categories of records in the system:

Records relating to a decision, process, determination or reply made by the Board on an appeal, grievance, complaint, or request for assistance affecting an individual's consideration for employment through the Merit System, and used also to provide statistical information for conducting personnel research and management studies. The records consist of the initial appeal or complaint; letters or notices from and to the individual; records of hearings when conducted; documentation supporting a decision or determination; affidavits or statements; testimonies of witnesses; investigative reports; instructions to an agency about action to be taken to comply with decisions; related correspondence, opinions, and recommendations; and results of rating panels.

Authority for maintenance of the system:

22 U.S.C. 3652, 3654, 3661-3664 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders and binders, and index cards.

Retrievability:

Filed or retrievable alphabetically by name of individual and by date of birth.

Safeguards:

Stored in locked metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroy three years after case is closed.

System manager(s) and address:

Executive Director, Panama Area Personnel Board, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Individual should provide name, date of birth, and approximate date and kind of action taken. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

Subjects individuals; agency and Board officials; affidavits of employee; testimonies of witnesses; documents in file related to the appeal, grievances, complaint, or request for assistance; and correspondence from organizations or persons with pertinent knowledge.

Record source categories:

Subject individuals; agency and Board officials; affidavits of employees; testimonies of witnesses; documents in file related to the appeal, grievance, complaint, or request for assistance; and correspondence from organizations or persons with pertinent knowledge.

Systems exempted from certain provisions of the act:

All information in this system which would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures set forth in the agency's regulations. See 35 CFR 10.22.

PCC/PB-3

System name:

Personnel Investigation Records, PCC/PB-3.

System location:

Panama Area Personnel Board, Bldg. 6531, Corozal, Republic of Panama, and Central Examining Office, Building 363, Ancon, R.P., and personnel and other offices of Federal agencies in the Republic of Panama authorized to make appointments to positions and to act for the Board by delegated authority.

Categories of individuals covered by the system:

Current and former applicants for employment in the Federal service and current and former Federal employees in the Republic of Panama.

Categories of records in the system:

Investigative records compiled to evaluate applications for employment and to provide statistical information for conducting personnel research and management studies. They contain information regarding an individual's physical and mental health, character, conduct, and behavior in the community where the individual has lived; arrests and convictions for any violations against the law; reports of interviews with former supervisors, co-workers, associates, educators, etc.; reports about the overall qualifications of an individual for a specific position; reports from law enforcement or corrective/parole agencies, former employers, educational institutions, and medical officers and institutions; veterans' preference claims for veterans' wives, widows, widowers, and mothers; lists of persons barred from military installations and pier areas; lists of police checks; police records; and penitentiary predischarge reports, parole officers' postdischarge statements, and wardens' postdischarge statements.

Authority for maintenance of the system:

22 U.S.C. 3652, 3654, 3661-3664 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders and individual forms and cards.

Retrievability:

Filed or retrievable alphabetically by name of individual and by date of birth.

Safeguards:

Stored in locked file equipment in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Lists of persons barred from military installations and piers are destroyed when the bar or restriction is lifted. Penitentiary predischarge reports, parole officer and warden statements are transferred to:

1. The application file when a decision is made to permit the individual to compete for Federal employment.
2. To the Suitability Investigations Index Card (Personal Data Card) when a decision is made to suspend the individual from competition for Federal employment.

Panama Canal Commission or United States police records and check lists are destroyed when the data is transferred to the Suitability Investigation Index Card (Personal Data Card) subsequent to receipt. Police records received from the Republic of Panama which are owned by the individual are returned to the owner after transfer of the data to the Suitability Investigation Index Card (Personal Data Card). Statements from the individual and from other sources are transferred to the application file when the individual is cleared for Federal employment. Suitability Investigation Index Cards (Personal Data Cards) and other records are destroyed upon death, retirement or at age 70 of the individual.

System manager(s) and address:

Executive Director, Panama Area Personnel Board, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager, his delegate, the Manager, Central Examining Office, or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Individual should provide name, date of birth, approximate date of record, and title of examination or announcement with which concerned. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to one of the addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject individuals, employers, schools, references, neighbors, associates, credit bureaus, law enforcement agencies, probation officials, prison officials, personnel managers, medical officers and records, government agencies, and others.

Systems exempted from certain provisions of the act:

All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.22.

PCC/PR-1

System name:

Disability Relief, Retirement and Group Supplementary Life Insurance Records, PCC/PR-1.

System location:

Personnel Operations Division, Bld. 5553, Diablo, Republic of Panama, and Management Information Systems, Administration Building, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

Disability relief annuitants and surviving widows; Civil Service Retirement annuitants; employees who died while in service; survivors of deceased employees and annuitants; and employees and annuitants enrolled in the Supplementary Life Insurance Program sponsored by the Group Insurance Board (Panama Canal Area).

Categories of records in the system:

Information used in the administration of the Cash Relief Act of July 8, 1937, as amended, and in the application of related policies on medical treatment and care, annuitants' group life insurance, and the eligibility of widows of deceased annuitants for annuities.

Reference files from which information or statistical data may be furnished quickly on employees who retired under the Civil Service Retirement Act, employees who died while in service, and survivors who submitted applications or claims for death benefits and unpaid compensation.

Identification of employees and annuitants enrolled in the Group Supplementary Life Insurance Program and their beneficiaries.

Authority for maintenance of the system:

5 U.S.C. Chapters 83 and 87; 22 U.S.C. 3658, 3681-3683 (Supp. III 1979); Articles III and X of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See General Routine Use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders, cards, and individual forms and magnetic tapes and disks, and computer printouts.

Retrievability:

Filed alphabetically by name or filed by identification number.

Safeguards:

Stored in metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel. A combination of standard physical security measures, appropriate management information practices, and computer system/network security controls are used to protect these records. The stringent safeguards required by Office of Management and Budget (OMB) Circular A.71, Transmittal No. 1 are applied. Safeguards include: Batch controls; computer processing controls; access to both hard copy documents and computer files restricted to authorized personnel; restricted on line access, with authorization limited in accordance with user-entered confidential identifying code and access code: A special coordinating group in the Personnel Operations Division called the Personnel Data Control Center has been designated by the system manager to maintain control of all input documents and issuance of report information. Printouts are produced automatically and upon written request from the system manager. Reports, tapes, and disks are kept in a locked cabinet or secure area when not in use.

Retention and disposal:

Index cards on persons designated to act as the agents of Disability Relief annuitants are destroyed when annuitant dies. Other records: Permanent. Records on active employees in the automated data base are retained as long as they are employed. Paper forms used for inputing information into the computer system are maintained for one year. Records on terminated employees are retained for two years and then are deleted from magnetic tapes or disks. Tapes and disks are erased and reused. Printouts of various reports will be kept as long as needed, for example, weekly reports are destroyed when the weekly update is produced. Some reports produced annually or biannually may be kept up to three years.

System manager(s) and address:

Executive Director, Panama Area Personnel Board, Panama Canal Commission, APO Miama 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager, or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject individuals, official personnel files, and medical and welfare personnel.

PCC/PR-2

System name:

Employee Benefits Records, PCC/PR-2.

System location:

Personnel Operations Division, Bldg. 366, Ancon, Republic of Panama, and Management Information Systems, Administration Building, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

Current and former employees and their dependents or other members of their household.

Categories of records in the system:

Determinations of employees' eligibility for, or entitlement to, the tropical differential, home leave and repatriation travel, Commission housing and other employee benefits. Determination of an individual's status as dependent or member of household of employee to establish his or her eligibility for residence in Commission housing, medical treatment, education, purchase authority, and transportation benefits. These records are maintained in addition to and interfiled with the records in Official Personnel Folders belonging to the Office of Personnel Management. See PCC/PR-8.

Authority for maintenance of the system:

5 U.S.C. 5701-42 and 5942; 22 U.S.C. 3641-3658 (Supp. III 1979); Articles III and X of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See General Routine Use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These paper records are maintained in addition to and interfiled with the records in Official Personnel Folders belonging to the Office of Personnel Management, and magnetic tapes and disks, and computer printouts. See PCC/PR-8.

Retrievability:

Filed alphabetically by name of employee.

Safeguards:

Stored in metal file cabinets in buildings locked when not in use. Access and use are restricted to authorized personnel. A combination of standard physical security measures, appropriate management information practices, and computer system/network security controls are used to protect these records. The stringent safeguards required by Office of Management and Budget (OMB) Circular A.71, Transmittal No. 1 are applied. Safeguards include: Batch controls; computer processing controls; access to both hard copy documents and computer files restricted to authorized personnel; restricted on-line access, with authorization limited in accordance with user-entered confidential identifying code and access code. A special coordinating group in the Personnel Operations Division called the Personnel Data Control Center has been designated by the system manager to maintain control of all input documents and issuance of report information. Printouts are produced automatically and upon written request from the system manager. Reports, tapes, and disks are kept in a locked cabinet or secure area when not in use.

Retention and disposal:

Paper records in file folders retained for three years and then destroyed. Records on active employees in the automated data base are retained as long as they are employed. Paper forms used for inputting information into the computer system are maintained for one year. Records on terminated employees are retained for two years and then are deleted from magnetic tapes or disks. Tapes and disks are erased and reused. Printouts of various reports will be kept as long as needed, for example, weekly reports are destroyed when the weekly update is produced. Some reports produced annually or biannually may be kept up to three years.

System manager(s) and address:

Director, Office of Personnel Administration, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from Systems Manager, or the Agency Records Officer, Panama Canal Commission, APO Miama 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of the addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject employees and officials of the Canal agencies.

PCC/PR-3

System name:

Personal Data Records, PCC/PR-3.

System location:

Personnel Operations Divisions, Bldg. 366, Ancon, Republic of Panama, and Management Information Systems, Administration Building, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

Employees, dependents of employees, and former employees.

Categories of records in the system:

Personal data maintained for reference and statistical purposes, such as employment history of U.S. citizen employees of Canal agencies and Panama Area Personnel Board; identification of U.S. citizens who would be evacuated from residence in the event of civil disturbance or natural disaster; identification of employees who are earning a special or retained rate of pay which must be adjusted manually; documentation of employees' leave-without-pay to determine periods for within-grade step advancement, conversion to career status, or completion of probationary period; documentation of eligibility for medical services at U.S. Armed Forces hospitals; identification of reemployed Civil Service annuitants; identification of employees who are retired members of the U.S. Armed Forces; authorizations for disposition of pay; and indexes of employees for counseling on retirement, and disciplinary actions.

Authority for maintenance of the system:

22 U.S.C. 3611 (Supp. III 1979); Articles III and X of the Panama Canal Treaty of 1977; 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from this system may be disclosed to court officials for the purpose of compiling jury duty rosters. See also General Routine Use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders; cards; lists; and individual forms, and magnetic tapes and disks, and computer printouts.

Retrievability:

Filed alphabetically by name of employee or filed by identification number.

Safeguards:

Stored in metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel. A combination of standard physcial security measures, appropriate management information practices, and computer system/network security controls are used to protect these records. The stringent safeguards required by Office of Management and Budget (OMB) Circular A-71, Transmittal No. 1 are applied. Safeguards include: Batch controls; computer processing controls; access to both hard copy documents and computer files restricted to authorized personnel; restricted on-line access, with authorization limited in accordance with user-entered confidential identifying code and access code. A special coordinating group in the Personnel Operations Division called the Personnel Data Control Center has been designated by the system manager to maintain control of all input documents and issuance of report information. Printouts are produced automatically and upon written request from the system manager. Reports, tapes, and disks are kept in a locked cabinet or secure area when not in use.

Retention and disposal:

Paper records, manually maintained: Records on active employees in the automated data base are retained as long as they are employed. Paper forms used for inputting information into the computer system are maintaned for one year. Records on terminated employees are retained for two years and then are deleted from magnetic tapes or disks. Tapes and disks are erased and reused. Printouts of various reports will be kept as long as needed, for example, weekly reports are destroyed when the weekly update is produced. Some reports produced annually or biannually may be kept up to three years. Employment history cards are retained permanently. Legal dependent and leave-without-pay records are transferred to official personnel folder upon employee's separation from service. Other records are destroyed when they are no longer pertinent to the employee's current status.

System manager(s) and address:

Director, Office of Personnel Administration, Panama Canal Commission, APO Miami 34011.

Notification procedure:

Information may be obtained from System Manager or the Agency Records Officer, Administration Building, Balboa Heights, R.P. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of the addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject employees and officials of the Canal agencies.

PCC/PR-4

System name:

Personnel Management System, PCC/PR-4.

System location:

Office of Personnel Administration, Panama Canal Commission, Administration Building, Balboa Heights, and Ancon, Republic of Panama; and Management Information Systems, Panama Canal Commission, Administration Building, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

All current employees of the Panama Canal Commission in permanent and temporary positions. Data on terminated employees will be kept on the automated data base for two years after termination date.

Categories of records in the system:

Employee records include name, PCC identification number, birthdate, U.S. Social Security number, Republic of Panama Social Security number, Republic of Panama cedula number, citizenship, binational status, veterans preference code, Vietnam veteran status, position number, pay level (wage category, level, grade, and step), salary, sex, blood type, marital status, former name, spouse's PCC identification number, number of dependents, mailing address, pay rate determination status, physical exam requirements, pay basis, annual premium compensation, differential type and amount, step increase due date, tenure code, tenure conversion date, target pay level, occupation code, work week status, roll and gang, outstanding performance rating, status of employment, eligibility for repatriation, eligibility for home leave, APRTE (actual place of residence at the time of employment), educational level, date of degree, academic discipline, qualifications by occupation code, RIF code, qualifying date, outstanding award code and date, previous pay level for employees that were RIFed, RPL and PPL codes, rehired annuitant indicator, FEHBA plan, FEGLI information, eligibility for early retirement indicator, retirement plan code, rotation date, on/off Isthmus hire code, PCC constructed service time, constructed federal service time leave type, entry-in-force status code, constructed FLSA coverage code, service date for retired military employees, effective date of the employee's current grade, last held occupation code, position, promotional occupation code and pay level, starting occupation code and pay level, target occupation and pay level and developmental position identifier, promotion due date, due date for promotion to target grade, probation ending date, beginning date for retirement deduction, position title and functional classification of employee's position.

The position records in the new system include: Labor cost distribution data such as primary and secondary account numbers and chargeable percentages; developmental position data such as starting and target pay levels, and occupation codes; position related data including the position title, functional classification code, the functional title code; and supervisory position code; position control data such as manpower number and date of manpower authorization; and pay related data including current pay rates, timing code, and unit pay rates.

The employee service history records contain data on all Requests for Personnel Actions (RPA's) processed during the last three years. Data maintained in this file includes: Employee IP, effective date of the action, nature of action code, process date and pay-related data such as pay rates, pay level, work week, and position data.

Training history records provide a detail of employee training including: Completed course data such as course code and description, date of course, purpose, cost, duty and non-duty hours, and course grade, training requirements by job responsibility level and official PCC training data is also maintained.

Authority for maintenance of the system:

5 U.S.C. 301; 5 U.S.C. Chapters 35, 41, 45, 55, 57, 83, 87; 22 U.S.C. 3611 (Supp. III 1979); Articles III and X of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be:

a. Disclosed to the following agencies and organizations, in connection with their authorized functions: Office of Personnel Management; Merit Systems Protection Board; Internal Revenue Service; Social Security Administration; General Accounting Office; U.S. military agencies; state unemployment compensation offices; city, county, and state tax offices; employee credit unions; banks; insurance carriers; employee and professional organizations; and Combined Federal Campaign.

b. Disclosed to officials of labor organizations when relevant and necessary to their duties concerning personnel policies, practices, and matters affecting working conditions.

c. Used to promote the incentive awards program through the local news media.

d. Disclosed to prospective employers or other organizations, at the request of the individual.

e. Used in the selection process by the agency in connection with appointments, transfers, promotions or qualifications determinations. To the extent relevant and necessary, it will be furnished upon request to other agencies for the same purpose.

f. Used to provide statistical reports to Congress, U.S. Government agencies, the Government of Panama, and the public on characteristics of the Federal work force.

g. Used in the production of summary descriptive statistics and analytical studies, may also be used to respond to general requests for statistical information (without personal indentifier) under FOIA; or to locate individuals for personnel research or other personnel research functions.

h. Disclosed to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular NO. A-19.

i. Disclosed in accordance with the general routine uses listed in the "Prefatory Statement of General Routine Uses" published at 45 FR 85256 and in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tapes and disks; computer printouts; and paper records.

Retrievability:

By employee identification number, by name, position number and code, and occupation code. Personal information on individuals can also be accessed indirectly by use of almost any data element in the system.

Safeguards:

A combination of standard physical security measures, appropriate management information practices, and computer system/network security controls are used to protect these records. The system's design incorporates the stringent safeguards required by Office of Management and Budget (OMB) Circular A-71. Transmittal No. 1. Safeguards include: Batch controls; computer processing controls; access to both hard copy documents and computer files restricted to authorized personnel; restricted on-line access, with authorization limited in accordance with user-entered confidential indentifying code and access code. A special coordinating group in the Personnel Operations division called the Personnel Data Control Center has been designated by the system manager to maintain control of all input documents and issuance of report information. Printouts are produced automatically on a daily, weekly, monthly basis, and upon written request from the system manager. Reports, tapes, and disks are kept in a locked cabinet or secure area when not in use.

Retention and disposal:

Records on active employees in the automated data base are retained as long as they are employed. Paper forms used for inputing information into the computer system are maintained for one year. Records on terminated employees are retained for two years and then are deleted from magnetic tapes or disks. Tapes and disks are erased and reused. Printouts of various reports will be kept as long as needed, for example, weekly reports are destroyed when the weekly update is produced. Some reports only produced annually or biannually may be kept up to three years.

System manager(s) and address:

Director, Office of Personnel Administration, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of the officials designated in Notification Procedure, preceding.

Contesting record procedures:

Rules governing how an individual may request the amendment of any information about him in this system are published in 35 CFR Part 10.

Record source categories:

Subject employee; Requests for Personnel Action forms; Official Personnel Folders, Incentive Award Files; the agency payroll master file; Office of Health and Safety records; and computer-generated and manual calculations from varied input data.

PCC/PR-5

System name:

Recruiting and Placement Records, PCC/PR-5.

System location:

Personnel Operations Division, Bldg. 366, Ancon, Republic of Panama.

Categories of individuals covered by the system:

Persons who have applied for employment or are employed with the Panama Canal Commission.

Categories of records in the system:

Applications for employment and records related thereto; overseas recruitment processing records; special placement and program records, such as records on the excluded appointments of mentally retarded applicants, the appointment of handicapped persons, the student assistant program, the upward mobility program, and the worker-trainee program.

Authority for maintenance of the system:

22 U.S.C. 3641-3654, 3671, 3672 (Supp. III 1979); Articles III and X of the Panama Canal Treaty of 1977; E.O. 11478, August 8, 1969; 42 U.S.C. 2000e-16; E.O. 11171, August 18, 1964; 29 U.S.C. 791.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folder, index cards, lists, and individual forms.

Retrievability:

Filed alphabetically by name of subject individual or by an identification number.

Safeguards:

Stored in metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Applications for employment and records related thereto are transferred to recruitment folder if applicant is selected for employment from overseas. When applicant is employed, documentation is transferred to Official Personnel Folder. Applications are destroyed if applicants fail to update in one year from date of acknowledgment of application. U.S. recruitment data cards are retained indefinitely for statistical purposes. Miscellaneous correspondence and listings pertaining to employees under recruitment are destroyed after two years. Vouchers from references listed by applicant are destroyed after one year. Individual special placement and program records are destroyed when employee terminates or individual's participation in program ends.

System manager(s) and address:

Director, Office of Personnel Administration, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, R.P. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of the addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject individuals, medical personnel, police officials, officials of the Canal agencies, schools attended by applicant, and individuals listed as references by applicant.

Systems exempted from certain provisions of the act:

All information in this system which would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.22.

PCC/PR-6

System name:

Training and Employee Development Records, PCC/PR-67.

System location:

Human Resources Development Staff, Office of Personnel Administration, Bldg. 0602, Balboa Heights, Republic of Panama, and Management Information Systems, Administration Building, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

Current and former employees of the Canal and other Federal agencies on the Isthmus who have participated in training or development programs sponsored or conducted by the Canal agencies.

Categories of records in the system:

Records on training and development of employees under a variety of programs such as apprentice program; the tuition refund program;

and various executive, managerial, supervisory, administrative, Spanish and English language, technical, and professional training and development programs.

Authority for maintenance of the system:

5 U.S.C. 4101-18; E.O. 11348 of April 20, 1967; E.O. 11171, August 18, 1964; 22 U.S.C. 3611 (Supp. III 1979); Articles III and X of the Panama Canal Treaty.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See General Routine Use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file holders, cards, and individual forms, and magnetic tapes and disks, and computer printouts.

Retrievability:

Filed alphabetically by name.

Safeguards:

Stored in metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel. A combination of standard physical security measures, appropriate management information practices, and computer system/network security controls are used to protect these records. The stringent safeguards required by Office of Management and Budget (OMB) Circular A-71, Transmittal No. 1 are applied. Safeguards include: Batch controls; computer processing controls; access to both hard copy documents and computer files restricted to authorized personnel; restricted on-line access, with authorization limited in accordance with user-entered confidential identifying code and access code. A special coordinating group in the Personnel Operations Division called the Personnel Data Control Center has been designated by the system manager to maintain control of all input documents and issuance of report information. Printouts are produced automatically and upon written request from the system manager. Reports, tapes, and disks are kept in a locked cabinet or secure area when not in use.

Retention and disposal:

Paper records manually maintained: At the end of the entry, add: "Records on active employees in the automated data base are retained as long as they are employed. Paper forms used for inputting information into the computer system are maintained for one year. Records on terminated employees are retained for two years and then are deleted from magnetic tapes or disks. Tapes and disks are erased and reused. Printouts of various reports will be kept as long as needed, for example, weekly reports are destroyed when the weekly update is produced. Some reports produced annually or biannually may be kept up to three years. Apprentice enrollment and grade records are retained permanently. Other records are retained for three years after termination of the session of the program in which the trainee was enrolled, except summary records for management development program are maintained until employee terminates or is dropped from the program.

System manager(s) and address:

Director, Office of Personnel Administration, Panama Canal Commission, APO Miami 34011.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Request should be addressed to either of the addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject individual, official personnel records, instructors, agency officials, program officials, and Veterans Administration.

PCC/PR-7

System name:

Personnel Reference Unit Files, PCC/PR-7.

System location:

Personnel Reference Unit, Office of Personnel Administration, Bldg. 780, Balboa, Republic of Panama.

Categories of individuals covered by the system:

Current and former employees of the Panama Canal Commission.

Categories of records in the system:

Personal history statements, security clearance, results of background investigations, and documents containing information obtained under a pledge of confidentiality.

Authority for maintenance of the system:

E.O. 10450; E.O. 10865; Part 60.14, Sub Chapter B of Chapter 1, Title 35 CFR; PCPM Chapters 732 and 736; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms, 8 by 10½ inches, microfilm.

Retrievability:

Indexed by name.

Safeguards:

Maintained in lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroy 20 years after date of last action.

System manager(s) and address:

Associate Director, Personnel Policy and Programs, Office of Personnel Administration, Panama Canal Commission, APO Miami 34011-5000.

Systems exempted from certain provisions of the act:

All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations, See 35 CFR 10.21.

PCC/PR-8

System name:

Systems of records noticed by the Office of Personnel Management and applicable to the Panama Canal Commission, as follows:

(1) General Personnel Records (Official Personnel Folder and records related thereto).*

(2) Retirement, Life Insurance, and Health Benefits Records Systems.

(3) Ethics in Government Financial Disclosure Records, OPM/GOVT-4.

(4) Confidential Statements of Employment and Financial Interest, OPM/GOVT-8.

*As an exception to standard practice on retention of out-of-service Official Personnel Folders, the Canal agencies are authorized to retain the Official Personnel Folders of their former non-U.S. citizen employees for two years. Thereafter they are sent to the National Personnel Records Center in St. Louis, Missouri (35 CFR Parts 253-292). Some of these former employees now may be U.S. citizens or resident aliens of the United States who are granted access to the records under provisions of the Privacy Act. Questions from such individuals regarding notification procedures, access, and contest in connection with these records should be addressed to the Director, Office of Personnel Administration, Panama Canal Commission, APO Miami 34011-5000, who is the System Manager, or to the Agency Records Officer, Panama Canal Commission, APO MIami 34011-5000. Rules are published in 35 CFR Part 10.

PCC/PR-9

System name:

Incentive Awards Program Files, PCC/PR-9.

System location:

Incentive Awards Office, Bldg. 5553, Diablo Heights, Republic of Panama, and Management Information Systems, Administration Building, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

All employees of Panama Canal Commission who have filed suggestions or received honorary awards under the Incentive Awards Program since 1954. Supervisors of suggesters since 1974. Career Service awards since 1973.

Categories of records in the system:

Employee's name, identifying number, grade, occupation, employing unit, type of career service award and date granted, suggestion number, rejection or approval date, amount awarded, card control number. Supervisor's name, employing unit, number of suggestions submitted by his employees, amount awarded, and savings to the Commission.

Authority for maintenance of the system:

5 U.S.C. 4501 et seq.; 22 U.S.C. 3611 (Supp. III 1979) and Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from this system of records may be used to: (a) Prepare reports for the Office of Personnel Management; (b) promote the awards program through the local news media; and (c) respond to inquiries from labor unions, award recipients, employee and professional organizations.

See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

3 by 5 inch cards; suggestion forms; related documents, and magnetic tapes and disks, and computer printouts.

Retrievability:

Filed or indexed by name.

Safeguards:

Records maintained in metal card files and lockable metal filing cabinets. Access and use are restricted to authorized personnel. A combination of standard physical security measures, appropriate management information practices and computer system/network security controls are used to protect these records. The stringent safeguards required by Office of Management and Budget (OMB) Circular A-71, Transmittal No. 1 are applied. Safeguards include: batch controls; computer processing controls; access to both hard copy documents and computer files restricted to authorized personnel; restricted on-line access, with authorization limited in accordance with user-entered confidential identifying code and access code. A special coordinating group in the Personnel Operations Division called the Personnel Data Control Center has been designated by the system manager to maintain control of all input documents and issuance of report information. Printouts are produced automatically and upon written request from the system manager. Reports, tapes, and disks are kept in a locked cabinet or secure area when not in use.

Retention and disposal:

Paper records maintained manually. Employee Awards files:

1. General: Destroy two years after approval or disapproval.
2. Correspondence or memoranda: Destroy when two years old.
3. Length of Service: Destroy when one year old.
4. Reports pertaining to incentive Awards: Destroy when three years old.
5. Incentive Award suggestion: Close file annually and destroy two years after break.

System manager(s) and address:

Associate Director, Personnel Policy and Programs, Office of Personnel Administration, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

From suggestion forms prepared by employees to whom the record pertains and from honorary award recommendations submitted by authorized management officials, and from monthly computer listings showing due date of service awards.

PCC/PR-10

System name:

Occupational Health Records, PCC/ PR-10.

System location:

Occupational Health Division, Bldg. 721, Balboa, Republic of Panama; and at Occupational Health Centers in Balboa (Bldg. 10), Miraflores (Bldg. 11), Pedro Miguel (Bldg. 6), Gamboa (Bldg. 63), Mt. Hope (Bldg. 5106), Gatun (Bldg. 122), Coco Solo Army Hospital (Building (8906), Republic of Panama.

Categories of individuals covered by the system:

Employees of the Panama Canal Commission

Categories of records in the system:

Pre-employment and periodic physical examinations; medical examinations to determine continuing fitness for duty consistent with job qualifications and requirements. Documentation of medical treatment received by an individual on an outpatient basis from hospitals, clinics, occupational health centers, and other health facilities. Also may contain abstracts in inpatient hospitalizations, information on communicable diseases, or information on participation in alcohol rehabilitation program.

Authority for maintenance of the system:

21 U.S.C. 1175 and 1180 (1976 and Supp. III 1976); 22 U.S.C. 3611 (Supp. III 1979); 42 U.S.C. 4561; Article III of the Panama Canal Treaty of 1977 and Annex thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information that does not relate to alcohol or drug abuse may be released from these records to the extent needed as follows: To the Communicable Disease Center, Atlanta, Georgia, other Federal agencies, or Government of Panama health officials. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders, individual forms, and cards.

Retrievability:

Records of cross-reference index cards providing access to records are filed alphabetically by name.

Safeguards:

Stored in metal file cabinets in buildings locked when not in use, or buildings with around-the-clock guards. Access and use are restricted to authorized personnel.

Retention and disposal:

Retained until employee terminates employment with the agency. Thereafter retired to the Agency Records Center for disposition in accordance with Federal retention schedules. Disposition of employee medical records are suspended until further notice.

System manager(s) and address:

Chief, Occupational Health Division, Office of Personnel Administration, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained as appropriate from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000.

Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of the officials designated in Notification Procedure, preceding. Procedure for disclosure of information from the medical records of the individual requesting access are set forth in 35 CFR 10.9.

Contesting record procedures:

The individual to whom the occupational health record pertains, attending physicians and allied health personnel involved in the individual's treatment.

PCC/PR-11

System name:

Racial/National Origin Code Records, PCC/PR-11.

System location:

Personnel Operations Division, Panama Canal Commission, Ancon, Republic of Panama.

Categories of individuals covered by the system:

U.S. citizen employees of the Canal agencies.

Categories of records in the system:

Lists of accessions of U.S. citizen employees containing a racial/national origin designator code submitted to Office of Personnel Management (OPM), error lists from OPM, and transcript form and/or SF 50 (or equivalent) submitted to OPM to correct errors.

Authority for maintenance of the system:

5 U.S.C. 7204, E.O. 11478 of August 8, 1969; 22 U.S.C. 3611 (Supp. III 1979); Articles III and X of the Panama Canal Treaty of 1977; 29 CFR 1613.301 and 1613.302.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Forms, sheets of paper, and computer runs.

Retrievability:

Lists of accessions filed by employee identification number; computer runs and SF 50, filed alphabetically by name; and monthly report of Office of Personnel Management and update transcript form filed by Social Security Number.

Safeguards:

Stored in a locked a steel desk in a building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Monthly report of Office of Personnel Management and error listing for that month are destroyed six months after error listing is received. Correction to monthly error listing destroyed after error list for following month is received and corrected.

System manager(s) and address:

Director, Office of Personnel Administration Panama Canal Commission, APO Miami 34011.

Systems exempted from certain provisions of the act:

All information in this sytem is maintained and used solely for statistical reports and is not used in making any nonstatistical determinations about identifiable individuals. It is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.22.

PCC/PR-12

System name:

Industrial Accident Prevention Supervisor/Unit Awards File, PCC/PR-12.

System location:

Incentive Awards Unit, Bldg. 5553, Diablo Heights, Republic of Panama.

Categories of individuals covered by the system:

All Commission supervisors classified in high hazard positions who have completed a year of supervision without a disabling injury incurred to himself or his unit.

Categories of records in the system:

Supervisor's name, Division, Bureau, identification number and Unit Supervised, year supervised.

Authority for maintenance of the system:

5 U.S.C. 7902; 22 U.S.C. 3611 (Supp. III 1979); 29 U.S.C. 668; 33 U.S.C. 941(b)(1) and (b)(4); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

5 by 8 inch cards.

Retrievability:

Filed by Bureau-Division, indexed by name.

Safeguards:

Records maintained in filing drawers. Access and use are restricted to authorized personnel.

Retention and disposal:

Maintained while employee is in a hazardous-supervisory capacity. Destroy two years after approval or disapproval.

System manager(s) and address:

Associate Director, Personnel and Programs, Office of Personnel Administration, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Supervisor/Unit records.

PCC/PR-13

System name:

20/30/40 Year Safety Key Awards Files, PCC/PR-13.

System location:

Incentive Awards Unit, Bldg., 5553, Diablo Heights, Republic of Panama.

Categories of individuals covered by the system:

All Commission employees classified in a high hazard position who have completed their 20-30-40 years of service with no disabling injury. Records are also maintained of employees in low hazard positions.

Categories of records in the system:

Employee's name, identification number, roll and gang, functional code, occupational service code, service date and number of years of employment. Subsystem stamp containing date of last disabling injury (if any) and employee's position hazard code.

Authority for maintenance of the system:

5 U.S.C. 7902, 8101 et seq.; 22 U.S.C. 3611 (Supp. III 1979); 29 U.S.C. 668; PCPM Chapter 452; Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer strip size 12½ by 3½ inches. Cards 3 by 8 inches. Magnetic tapes and disks and computer printouts and related documents.

Retrievability:

Filed by name.

Safeguards:

Records maintained in metal card files and lockable metal filing cabinets. Access and use are restricted to authorized personnel. A combination of standard physical security measures, appropriate management information practices and computer system/network security controls are used to protect these records. Reports, tapes, and disks are kept in a locked cabinet or secure area when not in use. The stringent safeguards required by Office of Management and Budget (OMB) Circular A-71, Transmittal No. 1 are applied.

Retention and disposal:

Paper records manually maintained. Records on active employee in the automated data base are retained as long as they are employed. Destroy when employees retire.

System manager(s) and address:

Associate Director, Personnel Policy and Programs, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Employees on whom record is maintained.

PCC/PRAA-1

System name:

Adverse Action Files, PCC/PRAA-1.

System location:

Adverse Actions Unit, Quarters 779-B, Balboa, Republic of Panama.

Categories of individuals covered by the system:

Current and former employees of the Panama Canal Commission who have received a notice of adverse action decision and non-bargaining unit PCC employees who have filed a final-stage grievance or disciplinary action appeal.

Categories of records in the system:

Log sheets of adverse actions effected; case files of appeals of adverse actions to the Administrator and to the Merit Systems Protection Board; case files of final-stage grievance or disciplinary action appeal.

Authority for maintenance of the system:

5 U.S.C. 1302, 3301, 3302, Chapters 75 and 77; 5 CFR Part 752, 771, 1201; 35 CFR Subpart 1: Articles III and X of Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See General Routine Use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Log sheets are filed by fiscal year; case files are filed alphabetically by name of employee.

Safeguards:

Stored in lockable metal file cabinets in building locked when not in use. Access to and use of these records are limited to those individuals whose official duties require such access.

Retention and disposal:

Log sheet files are retained permanently. Grievance and disciplinary-action appeal files are disposed of 3 years after closing of the case; adverse-action appeal files are disposed of 4 years after closing of the case. Disposal is by shredding or burning.

Exceptions: Some case files of the precedential nature are retained beyond retention period for study and reference.

System manager(s) and address:

Personnel Director, Office of Personnel Administration, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Record Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedure, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individuals to whom the record pertains; officials of the Canal agencies; witnesses; official documents related to the appeal or grievance; and others involved in the grievance or appeal procedure.

Systems exempted from certain provisions of the act:

All information in this system which is investigatory material or would reveal the identity of confidential sources is exempted from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the Agency's regulations. See 35 CFR 10.22.

PCC/PRCL-1

System name:

Injury Claims (FECA) Files, PCC/PRCL-1.

System location:

Injury Claims (FECA) Office, Bldg. 780, Balboa, Republic of Panama.

Categories of individuals covered by the system:

Employees or former employees making or filing claims against the former Canal agencies and Commission.

Categories of records in the system:

This system of records contains information or documents needed to adjudicate claims for illness, or death resulting from the performance of duty. The records consist of documentation of the circumstances giving rise to claim and basis of the claim; claimant's or individual's name; names and relationships of immediate family; address, telephone number, identification number, occupation, date of birth; when, and how the individual was injured, the nature and extent of injury, medical treatment, diagnosis and prognosis, payroll information; investigative autopsy, accident and medical reports, and various other materials placed into the record to perfect the claim and relating to the actions, decisions or determinations made by the agency.

Authority for maintenance of the system:

5 U.S.C. 8101 et seq.; Pub. L. 96-70; Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information or a record from this system may be furnished to, and acquired from, federal, state, local or foreign agencies, the claimant and other parties of interest in connection with the audit and settlement of claims and demands by or against the former Canal agencies, and the Commission, such as the following:

1. Physicians and medical facilities for the purposes of medical treatment, examination, opinion and evaluation of claimants.
2. Lawyers representing claimants or the agency.
3. Labor unions representing claimants.
4. National Safety Council and Occupational Safety and Health Administration for safety purposes.
5. Department of Labor for guidance on a particular case and appeals to the Employees' Compensation Appeals Board.
6. Social Security Administration for verification of earnings record of beneficiaries under the Federal Employees' Compensation Act.
7. Office of Personnel Management for furnishing record of compensation payments to beneficiaries under the Federal Employees' Compensation Act.

Also see general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records maintained in file folders; computer and word processor stored data.

Retrievability:

Filed alphabetically by name of claimant, etc.

Safeguards:

Records are maintained in lockable file cabinets and computer and word processor system in office locked during other than office hours. Access to and use of these records are limited to those individuals whose official duties require such access.

Retention and disposal:

Disposal not authorized. Retention period pending further discussion with National Archives and Records Administration.

System manager(s) and address:

Chief, Occupational Health Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedure, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Systems exempted from certain provisions of the act:

All information in this system which is investigatory material or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the Agency's regulations. See 35 CFR 10.22.

Title Listing of Inactive Panama Canal Commission Systems of Records

PCC/AEPR-1 Probation and Parole Unit Child Custody Reports.
PCC/AEPR-2 Presentence and Pre-Parole Investigation Reports.
PCC-CZG/ADGS-1 Purchase Authority Cards.
PCC/AMRM-7 Records of Births, Deaths, and Marriages that Occurred in the Former Canal Zone.

PCC/AMSA-2 Employee Application for Outside Employment.
PCC-CZG/BRAE-1 Canal Zone Board of Registration for Architects and Professional Engineers Reference Files.
PCC-CZG/BRAE-2 Canal Zone Board of Registration for Architects and Professional Engineers Directory.
PCC-CZG/CACU-9 Vehicle Registration for RP-Series License Plates.
PCC-CZG/CACU-10 U.S. Immigration and Naturalization Service U.S. Citizenship Certificate Application and Appointment Records.
PCC-CZG/CACU-12 Immigration Detention Orders.
PCC-CZG/CALS-4 Civil and Amateur Radio Operator and Station License Files.
PCC-CZG/CALS-7 Driver's License Investigatory File.
PCC-CZG/CALS-8 Motor Vehicle and Motorboat Registration and Operator's License File.
PCC-CZG/CALS-11 Official Permits to Have or Carry Firearms.
PCC-CZG/CAPL-14 Inmate Trust Fund File.
PCC-CZG/CAPL-20 Driver's License Revocation Lists.
PCC-CZG/CAPS-2 Case Investigations.
PCC/ECCN-2 Contractor Employee Payroll Records.
PCC/FMAP-2 Payroll System for Vessel Employees.
PCC-CZG/FVGA-2 Cash Register Receipt Shortages.
PCC-CZG/GE-1 Visa Records (STATE-39)
PCC/GSPL-1 Law Enforcement Case Report Files.
PCC/GSPL-4 Convict Files.
PCC/GSPL-5 Prisoner Record Cards.
PCC/GSPL-6 Police Record Cards.
PCC/GSPL-7 Fingerprint File.
PCC/GSPL-10 Master Name File.
PCC/GSPL-15 Complaints Against Policemen.
PCC/GSPL-16 Traffic Accident Reports.
PCC/GSPL-18 Prisoner Property Record.
PCC/GSSP-1 Expert and Consultant Records.
PCC/GSSS-1 Vessel Employee Records.
PCC-CZG/HL-1 Health, Medical, Dental, and Veterinary Records Systems.
PCC-CZG/HL-2 Medical Administration System Exempt.
PCC-CZG/HL-3 Medical Administration System-Non exempt.
PCC/PR-14 Arrest Record File.
PCC-CGZ/SC-4 Refugee Records.

PCC-CZG/ADGS-1

System name:

Purchase Authority Cards, PCC-CZG/ADGS-1

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Employees of private companies, organizations, and certain other government agencies, and other individuals that qualify for purchase authority.

Categories of records in the system:

Name, employment status, residence, mailing address, purchase-authority status, marital status, citizenship, age, names and ages of dependents, and history of identification cards issued.

Authority for maintenance of the system:

Article III, 1936 General Treaty of Friendship and Cooperation, 53 Stat. 1807; Articles XI and XII, 1955 Treaty of Mutual Understanding and Cooperation 6 U.S.T. 2273; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from this system may be disclosed to court officials for the purpose of compiling jury duty rosters. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms, 8 by 10½ inches.

Retrievability:

Alphabetically by name.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Minimum of 5 years after individual ceases to qualify for purchase authority. Shredded.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011—5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

From individuals.

PCC/CZG/ADRM-2

System name:

Advance Authorizations to Enter the Canal Zone, PCC-CZG/ADRM-2.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Individuals issued advance authorization to enter the Canal Zone.

Categories of records in the system:

Advance authorizations to enter the Canal Zone and related papers, such as extensions to stay and changes in Canal Zone immigration status.

Authority for maintenance of the system:

2 C.Z.C. 841, 76A Stat. 32: E.O. 11305; 35 CFR 59.22-3; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records on backers.

Retrievability:

Filed alphabetically by name of entrant.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

After 2 years, transferred to Agency Records Center; then destroyed after 2 more years.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission Records Management Branch, APO Miami 34011.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Admin. Bldg., Balboa Heights, Republic of Panama. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Sponsors of entrant.

PCC/AEPR-1

System name:

Probation and Parole Unit Child Custody Reports, PCC/AEPR-1

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Parent or custodian of minor child when custody of the child is contested.

Categories of records in the system:

All background information available to the Probation and Parole Officer that would be helpful in determining appropriate custody of the child.

Authority for maintenance of the system:

Judicial request under 7 Panama Canal Code 2807 or 8 Panama Canal Code 338, 76A Stat. 647, 689; 22 U.S.C. 3831 (Supp. III 1979); Article XI of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure to officials of U.S. District Court for the District of the Canal Zone and Administrative Office of the U.S. Courts. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Reports 8 by 10½ inches.

Retrievability:

Alphabetized.

Safeguards:

Records maintained in Records Center building that is locked when not in use. Access and use restricted to authorized personnel only.

Retention and disposal:

Maintained indefinitely.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011-5000.

Systems exempted from certain provisions of the act:

All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.21.

PCC/AEPR-2

System name:

Presentence and Pre-Parole Investigation Reports, PCC/AEPR-2.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

All persons convicted of crimes and referred to the Probation and Parole Unit for investigation.

Categories of records in the system:

All background information available to the Probation Officer, including full identity of the person and his family, police history, employment history, financial status, military history, and details of the offense in which the person was involved.

Authority for maintenance of the system:

18 U.S.C. 3651-53, 3655; 6 Panama Canal Code 4491-92, 6621-25 (76A Stat. 533, 558); 22 U.S.C. 3831 and 3852 (Supp. III 1979); Article XI of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure to officials of U.S. District Court for the District of the Canal Zone and Administrative Office of the U.S. Courts. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Typed reports and printed forms 8 by 10½ inches.

Retrievability:

Indexed by name and kept in alphabetized individual jackets.

Safeguards:

Records maintained in Records Center building that is locked when not in use. Access and use restricted to authorized personnel only.

Retention and disposal:

Maintained indefinitely.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011-5000.

Systems exempted from certain provisions of the act:

All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.21.

PCC/AEPR-3

System name:

Probation and Parole Unit Statistical File, PCC/AEPR-3.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

All persons convicted of crimes and referred to the Probation and Parole Unit for investigation.

Categories of records in the system:

Name, age, residence, category of crime and Court disposition.

Authority for maintenance of the system:

22 U.S.C. 3831 and 3852 (Supp. III 1979); Article XI of the Panama Canal Treaty of 1977; and Federal Probation Manual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure to officials of the U.S. District Court for the District of the Canal Zone and Administrative Office of the U.S. Courts. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed form 5 by 8 inches.

Retrievability:

Indexed by name.

Safeguards:

Records maintained in Records Center building that is locked when not in use. Access and use restricted to authorized personnel only.

Retention and disposal:

Maintained indefinitely.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011.

Systems exempted from certain provisions of the act:

All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the Procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.21.

PCC/AMRM-6

System name:

Postal Claims and Inquiries, PCC/AMRM-6.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Paname.

Categories of individuals covered by the system:

Persons requesting tracing of undelivered mail or parcels, or presenting claims for loss or damaged of registered mail or insured parcel post.

Categories of records in the system:

The record contains the information necessary to properly examine, prepare, process and adjudicate claims for loss or damage of registered mail or insured parcel post or tracing of ordinary articles, including: Names and addresses of senders and addresses, date of mailing, description of article's value, the registration, insured, or certified number or description of an unnumbered ordinary article, purpose of claim, post office disposition and any other pertinent information relating to the claim or inquiry.

Authority for maintenance of the system:

22 U.S.C. 3741 (Supp. III 1979), and Article III and Annex of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Referred to Foreign Postal Administrations or law enforcement agencies when applicable. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Individual file folders.

Retrievability:

Filed alphabetically by name of addressee.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed two years after disposition of claims.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Administration Building, Balboa Heights, R.P. Rules are published in

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

The sender, addressee, and, as applicable, the Postal Service or Administration officials of the country of origin or destination.

PCC/AMRM-7

System name:

Records of Births, Deaths, and Marriages that occurred in the former Canal Zone, PCC/AMRM-7.

System location:

Records Management Branch, Administrative Services Division, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

Individuals who were born and their parents, individuals who died, individuals who were married, parents who experienced fetal deaths, in the former Canal Zone, and/or in a U.S. Government Hospital in the Republic of Panama, from 1904 to September 30, 1979.

Categories of records in the system:

Names and characteristics of the individuals associated with each event (i.e., birth, death, stillbirth, marriage, delayed registration, legitimacy, adoption) such as dates of birth, death, marriage, age, sex, color or race: Relationship of individuals; occupation; residence and/or mailing address; place of birth, death, marriage; marital status; legitimacy; adoption; delayed registration; citizenship. Stillbirth and death records also contain medical information relating to cause of death. System also contains records concerning legitimacy, adoptions, delayed birth registration; birth and death registry books dating back to 1904; reference indexes and card files containing name, date of event and certificate or registry number. Certificates for each birth and death are serially numbered and indexed by month.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Upon written request to Federal Agencies and other organizations responsible by statute or other competent authority for programs to which the information is pertinent, such as the Social Security Administration, National Center for Health Statistics, components of the U.S. Armed Forces.

2. To officials of other agencies, foreign governments, in connection with adoptions and other social service programs.

3. To law enforcement officials when such disclosure is essential for investigations.

4. U.S. Embassy upon request, usually for issuing visas.

5. Civilian Personnel Offices, Retirement Branch, and Agents Accounts Branch (new deaths).

6. Parents or legal guardians, or next of kin, if the agency's Vital Statistics Registrar is satisfied that the applicant has a direct and legitimate interest in the matter recorded or that the information therein contained is necessary for the determination of personal or property rights.

7. Records concerning adoption or legitimation may be opened only upon the demand of the person involved or the adopted person if of legal age or by an order of the Court.

8. See also the general routine uses in prefatory statement or listed in 35 CFR Part 10, Appendix A.

Authority for maintenance of the system:

7 P.C.C. 576; 8 P.C.C. 4, 5, 6, and 8, and 335, 387; 76A Stat. 571, 672, 689, 691, and 88 Stat. 1417; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977 and related agreements.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper certificates in 5-drawer filing cabinet; 3 by 5 index cards; registry books, microfilm. All certificates for births, deaths, and marriages are on microfilm. All index cards for births and deaths are also on microfilm.

Retrievability:

By name, date of birth, death, or marriage, and number of certificate.

Safeguards:

Records kept in locked cabinets in a room which is locked after duty hours. Access is restricted to authorized personnel only.

Retention and disposal:

Permanent.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Parents of subject of the birth certificate, individual applicant, physicians, hospital charts, next of kin, neighbors or relatives.

PCC/AMSA-2

System name:

Employee Application for Outside Employment, PCC/AMSA-2.

System location:

Administrative Services Division, Administration Building, Balboa Heights, Republic of Panama.

Categories of individuals covered by the system:

Employees or former employees who have applied for permission to engage in outside employment.

Categories of records in the system:

Name of employee, name of outside employer, location of outside employment, number of hours employed weekly, nature of work performed, beginning and ending dates of outside employment, and conditions placed on employee concerning outside employment permission. Also may include letters from the Government of Panama stating there is no objection to the proposed employment.

Authority for maintenance of the system:

22 U.S.C. 3611 and 3622 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977; E.O. 11222 of May 8, 1965.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Released to Internal Revenue Service and government of Panama officials upon request to inform them which employees engage in outside employment. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed form 8 by 10½ inches.

Retrievability:

Filed by expiration date. Separate index maintained by name.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Minimum of 5 years after expiration of permit. Disposed of by shredding.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

From individual to whom application pertains.

PCC-CZG/BRAE-1

System name:

Canal Zone Board of Registration for Architects and Professional Engineers Reference Files, PCC-CZG/BRAE-1.

System location:

Federal Records Center, East Point, Georgia.

Categories of individuals covered by the system:

Active and inactive individuals certified as Engineers-In-Training (EIT) or registered as Professional Engineer (PE) or Architect (RA) in the Canal Zone.

Categories of records in the system:

Complete applications detaining personal history, educational record and references and record of professional practice; reference letters from individuals, verification letters from schools, State Boards, National Council of Engineering Examiners (NCEE)/National Council of Architectural Registration Boards (NCARB), etc.

Authority for maintenance of the system:

35 CFR Part 69(A) and 2 C.Z.G. 1171–75; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure to National Council of Engineering Examiners (NCEE), National Council of Architectural Registration Boards (NCARB) and all State Board jurisdictions in connection with Publication of Roster, 35 CFR 69.141. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folder 8½ by 11 inches.

Retrievability:

Alphabetically by status of certification and registration.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Permanent retention proposed to NARA; pending approval.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individual applicant, personal references, NCEE, NCARB, State Boards.

Systems exempted from certain provisions of the act:

All information in this system which is investigatory material compiled for law enforcement purposes or which would reveal the identity of confidential sources, or is testing or examination material is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.22.

PCC-CZG/BRAE-2

System name:

Canal Zone Board of Registration for Architects and Professional Engineers Directory, PCC-CZG/BRAE-2.

System location:

Federal Records Center, East Point, Georgia.

Categories of individuals covered by the system:

All certified Engineers-in-Training (EIT) and registered Professional Engineers (PE) and Architects (RA).

Categories of records in the system:

Numerical listing of Engineers-in-Training, Professional Engineers and Architects by number, name and methods or registration

Authority for maintenance of the system:

35 CFR Part 69 and 2 C.Z.C. 1171–75 76–A Stat. 40–41; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

For routine use by the Board and for preparation of the annual report (35 CFR 69.232); and the Roster (35 CFR 69.141); Board members, Executive Secretary to the Board, and each architect and professional engineer and architect-in-training and engineer-in-training and other persons upon request as set forth in 35 CFR 69.144. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

8½ by 11 inch papers in file folders.

Retrievability:

Numerically by certification/registration number; cross referenced by name.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Permanent retention proposed to NARA; pending approval.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

From applicant and other sources.

PCC/CZG/CACU-9

System name:

Vehicle Registration for RP-Series License Plates, PCC-CZG/CACU-9.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

U.S. Government employees, military personnel and dependents resident in Panama but entitled to Canal Zone duty free entry of vehicles.

Categories of records in the system:

Name, number, citizenship, personal description, address, and vehicle description.

Authority for maintenance of the system:

35 CFR Part 57; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Cards—3 by 5 inches.

Retrievability:

Name and number.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Retained for 5 years after close of calendar year in which records were created, then destroyed.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

From individual applicant.

PCC-CZG/CACU-10

System name:

U.S. Immigration and Naturalization Service U.S. Citizenship Certificate Application and Appointment Records, PCC-CAG/CACU-10.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Persons born outside the United States who are requesting United States citizenship certificates issued by the Immigration and Naturalization Service pursuant to one or more or the statutes referred to in the authority portion of this notice.

Categories of records in the system:

Correspondence relating to applications for certificates of citizenship; index cards containing the applicant's name and address, the date the application was received locally, and the certificate number.

Authority for maintenance of the system:

8 U.S.C. 1101 note, 1443-4, 1451-4; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Routine use includes the transmittal of the application and accompanying documents to the U.S. Immigration and Naturalization Service for processing. See also general routine use paragraphs in prefatory statement or in CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

8 by 10½ application form and paper certificates and documents; 3 by 5 inch file cards.

Retrievability:

Name and address.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed by paper shredder at end of useful life.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees as designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individual to whom record pertains.

PCC/CZG/CACU-12.

System name:

Immigration Detention Orders, PCC-CZG/CACU-12.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Stowaways, deserters, crewmembers and passengers in violation of Canal Zone Immigration Regulations.

Categories of records in the system:

Name, number, date and place or birth, nationality, and facts relating to issuance or enforcement of the detention order.

Authority for maintenance of the system:

2 C.Z.C. 841-3, 76A Stat. 32; 22 U.S.C. 3611 (Supp. III 1979); article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Routinely sent to local law enforcement officials as necessary to direct the apprehension, detention and repatriation of such persons. Information may also be disclosed to commercial carriers when such persons were passengers or crewmen/employees of a shipping company, airline, etc. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folder.

Retrievability:

Filed by name.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Maintained for two years then burned.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

From ship's documents and/or individual.

PCC-CZG/CALS-2

System name:

Hunting Permit Application File, PCC-CZG/CALS-2.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

All applicants and holders of permits to engage in hunting in the Canal Zone.

Categories of records in the system:

Name, date of birth, place of employment, rank, photograph, signature.

Authority for maintenance of the system:

2 C.Z.C. 1471, 76A Stat. 49; 6 C.Z.C. 2573, 76A Stat. 495; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

8½ by 10 inch printed form and 3 by 7 inch card.

Retrievability:

Recovered manually.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Retained three years after expiration and thereafter forwarded to the Panama Canal Company Agency Records Center for disposition.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, Records Management Branch, APO Miami 34011.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Admin. Bldg., Balboa Heights, Republic of Panama. Rules are published in 35 CFR Part 10.

Record access proceuures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individual on whom record is maintained.

PCC-CZG/CALS-3

System name:

Fishing Pass Application File, PCC-CZG/CALS-3.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

All persons applying for, or holding valid Canal Zone fishing passes.

Categories of records in the system:

Name, rank, street and postal address, date of birth, citizenship, occupation, identification number, place of employment and signature.

Authority for maintenance of the system:

2 C.Z.C. 1491, 76A Stat. 50; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

8½ by 10 inch printed form and 3 by 7 inch card.

Retrievability:

Filed by pass number and name, recovered manually.

Safeguards:

Access and use are restricted to authorized personnel

Retention and disposal:

Forwarded to Agency Records Center three years after expiration of license.

System manager(s) and address:

Agency Records Officer, Panama Canal Commission, APO Miami 34011.

Notification procedure:

Information may be obtained from the Agency Records Officer, Admin., Bldg., Balboa Heights, Republic of Panama. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to addressee designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individual on whom record is maintained.

PCC-CZG/CALS-4

System name:

Civil and Amateur Radio Operator and Station License Files, PCC-CZG/CALS-4.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

All persons applying for, or issued Canal Zone Amateur, Citizen's Band and Maritime Mobile Radio Operator and/or Station Licenses.

Categories of records in the system:

Name of licensee or applicant, street and postal address, date of birth, citizenship, operator's qualification test scores and statements, phone number, station location, call sign, organization or affiliation. Also includes similar information on other persons who may be regularly operating radios licensed to other individuals, such as student or guest operators.

Authority for maintenance of the system:

2 C.Z.C. 31-33, 76A Stat. 7; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosed upon request to the Federal Communications Commission, local U.S. military frequency control coordinators, Government, State and local radio licensing authorities. Information may also be disclosed to licensing agencies of foreign governments where the applicant is claiming reciprocal licensing privileges in order to obtain a Canal Zone or foreign radio operator's license. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms, questionnaires and cards.

Retrievability:

Filed by name, call sign or license number.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Call sign logbook retained as a permanent record. Other materials retained for five years after expiration of the license.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individual on whom the record is maintained and the Federal Communications Commission.

PCC-CZG/CALS-7

System name:

Driver's License Investigatory File, PCC-CZG/CALS-7.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

All persons who have had their Canal Zone license or privilege to operate motor vehicles in the Canal Zone revoked, suspended, cancelled, or have a medical problem related to driving.

Categories of records in the system:

Name, street and postal address, date of birth, citizenship, identification number, color of hair, color of eyes, height, weight, type and place of employment, grade or rank, qualification statements, photographs, and legal documents pertaining to arrests, court actions, hearings and/or related investigations.

Authority for maintenance of the system:

2 C.Z.C. 1001, 76A Stat. 37; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information may be released to the U.S. Department of Transportation, State licensing agencies, courts and others having a need to know. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

8½ by 10 inch file folders.

Retrievability:

Filed by name.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Retain record until operator dies or license is restored. Restored license material retained for the life of the license record. Nonrenewed license records transferred to Agency Records Center, retained for ten years and then destroyed.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individual on whom record is maintained.

Systems exempted from certain provisions of the act:

All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.22.

PCC-CZG/CALS-8

System name:

Motor Vehicle and Motorboat Registration and Operator's License File, PCC-CZG/CALS-8.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Persons registering motor vehicles, motorcycles, trailers, motorboats, etc., with the License Section, Ancon, Canal Zone. Persons who have been issued, or applied for, licenses or permits to operate motor vehicles, boats, etc. in the Canal Zone, or in Canal Zone waters

Categories of records in the system:

Owner/operator information normally includes the following: Name, identification number, home address, post office Box, date of birth, citizenship, height, weight, hair color. Certificate of Eligibility for active-duty members of U.S. Armed Forces who take advantage of special registration rates provided by law for such classes of persons. Information on the vehicle or craft includes engine number, manufacturer, model and color, license plate or registration number, and date of inspection.

Authority for maintenance of the system:

2 C.Z.C. 1001, 76A Stat. 37; 2 C.Z.C. 1331 and 1358-9, 76A Stat. 46-48; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

As necessary, vehicle and boat operator and registration information may be provided to:

1. Law enforcement agencies, court officials, and local military commands in connection with the investigation of violations of highway and vehicle regulations and the identification and apprehension of criminals;
2. Local air and sea rescue coordinators and local yacht clubs when a boat is overdue;
3. Officials of the Republic of Panama in connection with law enforcement and regulatory procedures;
4. Hospitals and dispensaries treating traffic accident victims;
5. The U.S. Department of Transportation, state licensing agencies, and other agencies to the extent of their need.

See also the general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Application for—forms, and related documentation; photomat cards; magnetic tapes/disks and punched cards; and computer printouts.

Retrievability:

Retrievable by registration number; license plate number; operator/owner's name and identifying number.

Safeguards:

Access and use restricted to authorized personnel.

Retention and disposal:

Paper records other than computer printouts retained for three years after expiration of current license, then transferred to Agency Records Center; disposed of at end of ten-year retention period. Computer-produced reports destroyed when updated reports are issued.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individual on whom record is maintained, and/or military command if the applicant is an active member of U.S. Armed Forces.

PCC-CZG/CALS-10

System name:

Runners, Peddlers, and Solicitors—Application and License Files, PCC-CZG/CALS-10.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Persons applying for, or issued licenses to act as runners, peddlers, and solicitors (Definitions of these terms set forth in 35 CFR 63.1).

Categories of records in the system:

Names, street and postal address, date of birth, parents' names, citizenship, Sanitation certificate (if required), and facts of employment or affiliation with commercial concerns being represented. Also contains information as to color of hair, color of eyes, weight, height, cedula number, etc., needed for identification purposes when applying for licenses authorizing access to certain vital installations in the Canal Zone.

Authority for maintenance of the system:

2 C.Z.C. 1441, 76A Stat. 49; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Local U.S. military authorities, and others responsible for the prevention of crime or the apprehension of criminals. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms 8 by 11 inches.

Retrievability:

Filed by license number, retrieved manually.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Disposed of three years after expiration of license, excluding records retained for security reasons.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission Records Management Branch, APO Miami 34011.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Admin. Bldg., Balboa Heights, Republic of Panama. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individual on whom record is maintained, police, employer.

PCC-CZG/CALS-11

System name:

Official Permits to Have or Carry Firearms, PCC-CZG/CALS-11.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Persons who applied for, or were issued official permits to have or carry firearms in the Canal Zone.

Categories of records in the system:

Name, date of birth, citizenship, identification number, place of employment, weapon serial number and description, and other information as may be required by the licensing officials.

Authority for maintenance of the system:

2 C.Z.C. 1471, 76A Stat. 49; 6 C.Z.C. 2572-3, 76A Stat. 495; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information may be disclosed or referred routinely to law enforcement agencies; courts, military agencies of the U.S. Government. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Forms, correspondence, 3 by 7 inch cards.

Retrievability:

Filed by name of permit holder.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Records routinely disposed of three years after expiration of permit. Certain records may be retained longer to record the circumstances leading to a revocation or cancellation of a permit.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individual on whom record is maintained, police officials, and at times the applicant's employer if certification is required that the permit may be essential for personal safety, etc.

PCC-CZG/CAPL-14

System name:

Inmate Trust Fund File, PCC-CZG/CAPL-14.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

All persons actively serving sentences in the Canal Zone Penitentiary who are enrolled in the Inmate Trust Fund program.

Categories of records in the system:

Inmate's name, convict number, date of debit or credit to his account and the account balance.

Authority for maintenance of the system:

6 C.Z.C. 6501-7, 76A Stat. 555-6; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosed as required to courts, probation, parole and pardon board officials, federal penal institutions. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms 8 by 10 ½ inches.

Retrievability:

By convict number.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

After discharge of inmate, these records were filed in convict record and transferred with record to Agency Records Center for storage. Scheduled for destruction December 31, 1999.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, Records Management Branch, APO Miami 34011.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Admin. Bldg., Balboa Heights, Republic of Panama. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Systems exempted from certain provisions of the act:

From inmate and Trust Fund Officer.

PCC-CZG/CAPL-20

System name:

Driver's License Revocation Lists, PCC-CZG/CAPL-20.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

All persons who have had their driving privileges revoked in the Canal Zone.

Categories of records in the system:

Name, identifying number, residence, date of revocation, photograph and police number, and copy of order revoking driving privileges issued by the License Section.

Authority for maintenance of the system:

2 C.Z.C. 1001-3, 76A Stat. 7, 37; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed form 8 by 10 inches.

Retrievability:

Filed by date received, cross-referenced by name of driver.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed once revocation is suspended.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, Records Management Branch, APO Miami 34011.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Admin. Bldg., Balboa Heights, Republic of Panama. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Police reports, license files.

PCC-CZG/CAPS-2

System name:

Case Investigations, PCC-CZG/CAPS-2.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Persons involved in, witnesses to, or suspected of activities related offenses involving narcotics, obscene literature, fraud, prohibited mail matter, rifling of mails, tampering of mail boxes, theft of mail, threatening letters, theft of money orders, theft of postal keys, vandalism of mail boxes, wrong payment of money orders.

Categories of records in the system:

Names, addresses, dates and facts of case.

Authority for maintenance of the system:

2 C.Z.C. 1131-32, 76A Stat. 38-39; 6 CZC, 2001, 76A Stat. 481; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Maintained in folders.

Retrievability:

Filed by Case number, name of individual and/or offense or irregularity.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Indefinite.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses as designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Individuals, employees, witnesses, law enforcement agencies, courts, postal patrons, U.S. and Foreign Postal Administrations.

Systems exempted from certain provisions of the act:

All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential source is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.22.

PCC-CZG/CAPS-5

System name:

Philatelic Program, PCC-CZG/CAPS-5.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Stamp collectors and others making inquiries of a philatelic nature.

Categories of records in the system:

The record normally contains correspondence showing the names and addresses of persons ordering stamps, first day covers, etc. through the philatelic program. Records of, the date and amount of payment, items shipped, and related information is also contained in the system.

Authority for maintenance of the system:

2 C.Z.C. 1031-1143, 76A Stat. 38.40; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Individual file folders.

Retrievability:

Filed alphabetically by name.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed two years after file becomes inactive.

System manager(s) and address:

Chief, Records Management Branch, Panama Canal Commission, Records Management Branch, APO Miami 34011.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Admin. Bldg., Balboa Heights, Republic of Panama. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

The individual to whom the record pertains.

PCC/ECCN-2

System name:

Contractor Employee Payroll Records, PCC/ECCN-2.

System location:

Agency Records Center, Bldg. 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Employees of contractors working on Panama Canal Commission contracts when such employees are working in the Canal area and being paid hourly wages.

Categories of records in the system:

The contract number, contractor, employee's name, cedula number, hourly rate of pay, hours worked, total hours worked, total amount paid and other information as required to assure contractor's compliance with the Hours and Safety Standards Act.

Authority for maintenance of the system:

22 U.S.C. 3611 (Supp. III 1979); 40 U.S.C. 327 et seq.; Article III of the Panama Canal Treaty of 1977, and Articles IX and XI of the Agreements in Implementation of Article III of the Panama Canal Treaty.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

US Department of Labor, US Court of Claims, US Army Corps of Engineers Board of Contract Appeals, insurance companies (sureties), GOP Department of Labor, US Embassy and others as required to assure contractor's compliance with above Acts regarding minimum wage, and maximum daily and weekly hours of work. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Individual pay data and hours of work retrieved chronologically by date.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Retained by contracting officer for one year after final payment of contract, then transferred to Agency Records Center. Destroyed three years later unless claim pending.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Provided by the contractor.

PCC/FMAP-2

System name:

Payroll System for Vessel Employees, PCC/FMAP-2.

System location:

Payroll Branch, Panama Canal Commission. Bldg. 365, Ancon, Republic of Panama.

Categories of individuals covered by the system:

Former vessel employees on Panama Canal Commission steamships.

Categories of records in the system:

Records maintained to accumulate pay-related data, calculate pay, and account for payments former to crew members of Commission steamships, including such information as name, Social Security number, article number, rate, and position title.

Authority for maintenance of the system:

5 U.S.C. 301; 22 U.S.C. 3611 and 3721 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In connection with their authorized functions, disclosure is authorized to the Office of Personnel Management; Internal Revenue Service, Federal Social Security Administration; municipal county and state tax offices in the United States, employee credit unions, financial institutions, labor unions, insurance carriers, state unemployment compensation offices. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Journals and cards, and 16 mm rolls of silver halide microfilm.

Retrievability:

Filed by Social Security number and retrievable by name.

Safeguards:

Stored in building locked when not in use. Two microfilm silver copies made simultaneously. One security copy stored in Treasurer's Vault in locked, fireproof, film file cabinet. Second copy used for retrieval of information and is stored in a fireproof, film file cabinet, which is locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Paper records and microfilm destroyed sixty years after first day of employment of vessel employee by Panama Canal Commission.

System manager(s) and address:

Chief, Payroll Branch, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject individual and ship's purser, and captain.

PCC-CZG/FVGA-2

System name:

Cash Register Receipt Shortages, PCC-CZG/FVGA-2.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Employees who experience cash register shortages.

Categories of records in the system:

Records maintained to determine potential weakness in cash controls and may be referred to in routine cash audits or as the basis for a cash audit. Records contain information such as employee's name, cash register number, retail unit, date and amount of cash shortage.

Authority for maintenance of the system:

2 C.Z.C. 65, 66, 76A Stat. 11; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Forms in file folders.

Retrievability:

Filed by retail area in chronological sequence. Retrievable by employee name.

Safeguards:

Stored in locked file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed by shredding after two years.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to addressee designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Retail unit managers.

PCC-CZG/GE-1 (STATE-39)

System name:

Visa Records, PCC-CZG/GE-1 (STATE-39).

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Individuals who have applied for visas; aliens who may be eligible to receive visas.

Categories of records in the system:

Visa applications accompanied by documents such as birth certificates, marriage certificates, spouses' birth certificates, affidavits of support, police records, and medical examinations; letters from interested parties; and communications between the Visa Office and the Visa Office, Department of State, consulates, other U.S. Government agencies, international organizations, and foreign missions regarding the eligibility, issuance, revalidation, and extension of visas.

Authority for maintenance of the system:

8 U.S.C. 1101-1503; see in particular 8 U.S.C. 1101(a)(9); 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from these records may be released to the Visa Office, Department of State, other U.S. consular offices, and the Immigration and Naturalization Service to coordinate the issuance of visas; to other government agencies that have statutory or other lawful authority to maintain such information; and to interested parties inquiring as to the statute of a particular case. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders, cards, and individual forms.

Retrievability:

Filed alphabetically by name of applicant.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Retention of these records varies from one year to an indefinite period of time, depending upon the specific type of record involved. They are retired or destroyed in accordance with published schedules of the Department of State.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

The individual; members of Congress; the public interested in the visa applicant's case; Department of State and other U.S. Government agencies; U.S. Consular offices; foreign missions; international organizations; and local sources.

Systems exempted from certain provisions of the act:

Certain records contained within this system of records are exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (h), and (I), and (f) by the Department of State. See 22 CFR 6a.6 (i), and (j)(1)-3.

PCC/GSPL-1

System name:

Law Enforcement Case Report Files, PCC/GSPL-1.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Persons who have been subjects of police investigations, including persons who have committed crimes or were alleged to have committed crimes; persons witnessing or reporting criminal activities; missing persons; and persons filing official complaints about the conduct of other persons when such conduct is not a violation of law.

Categories of records in the system:

Subject's and/or suspect's name, witness' or witnesses' names, complainant's name, identification or cedula number, residence, birth date, age, sex, citizenship, occupation, employer, date and time of incident, name of the investigating/arresting officer, investigative facts concerning the case. Subsystem contains subject's name, identification number, residence, birth date, age, sex, citizenship, photograph number, fingerprint classification date and time of incident, location of case report, and notations of arrests and outstanding warrants.

Authority for maintenance of the system:

6 Panama Canal Code 3701-44, 76A Stat. 503-5; 22 U.S.C. 3831 (Supp. III 1979); Article XI of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Released to law enforcement agencies, court officials, and local military commands as necessary to assist in the apprehension and identification of criminals, and to conduct investigations related thereto. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10 Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms 8½ by 11 inches; computer printouts; magnetic tape; punch cards; logbooks; and index cards.

Retrievability:

Logbooks and index cards permit retrieval of case report by name of arrestee, complainant, or person about whom complaint has been made. Information on computer not retreivable by personal identifier.

Safeguards:

Inactive files maintained in Agency Records Center, a building locked when not in use. Case files in Agency Records Center normally released only to designated Commission Support Services Branch officials. Magnetic tapes stored in locked rooms when not in use. Access to and use of all records restricted to authorized personnel.

Retention and disposal:

Held for seven yars at Agency Records Center, and then destroyed. Case information and arrest records on magnetic tape automatically expunged five years after date of report unless longer retention specifically requested. Computer produced reports retained at Support Services Branch up to ten years and then destroyed.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Systems exempted from certain provisions of the act:

All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.21 and 10.22.

PCC/GSPL-4

System name:

Convict Files, PCC/GSPL-4.

System location:

Agency Records Center, Bldg. 42-D, Diablo, R.P.

Categories of individuals covered by the system:

All persons who have been sentenced and have served any length of time in the Panama Canal Commission Penitentiary.

Categories of records in the system:

Convict's number, name, fingerprint classification, entrance and discharge dates, charge against convict, residence, citizenship, names of family, and related personal information. Also has history record of stay in penitentiary, disciplinary comments, brief case history of arrest and conviction, other pertinent information concerning case involved.

Authority for maintenance of the system:

6 Panama Canal Code 6501-7, 76A Stat. 555-6; 22 U.S.C. 3831 (Supp. III 1979); Article XI of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Used to provide historical data and reference information, regarding release, parole, probation, pardon, and other pertinent data on former and present inmates of the Panama Canal Commission penal facilities; to police, courts, and investigatory agencies, with a legitimate interest in such information. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms and typed pages.

Retrievability:

Filed by convict number.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Original records maintained indefinitely in the Agency Records Center.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Systems exempted from certain provisions of the act:

All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.21 and 10.22.

PCC/GSPL-5

System name:

Prisoner Record Cards, PCC/GSPL-5.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

All persons who have been arrested by the Canal Zone Police on or before September 30, 1979, or by the Panama Canal Commission Police between October 1, 1979 and March 31, 1982.

Categories of records in the system:

Subject's name, identifying number, residence, birth date, age, citizenship, occupation, employer, date and time of arrest, arresting officer, sex, convict number, alias, arrest charge, name of complainant, final disposition received, and brief account of activities while individual was incarcerated.

Authority for maintenance of the system:

6 Panama Canal Code; 22 U.S.C. 3831 and 3852 (Supp. III 1979); Article XI of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Released to law enforcement agencies, courts, and investigatory agencies. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A-8.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms, 8 by 10 inches and microfilm cassettes.

Retrievability:

Filed by name of prisoner, and date of arrest.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Retained indefinitely, no disposition schedule in effect.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Systems exempted from certain provisions of the act:

All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.21 and 10.22.

CC/GSPL-6.

System name:

Police Photo Files, PCC/GSPL-6.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

All persons who have been arrested, booked, and photographed by the Canal Zone Government Police on or before September 30, 1979, or by the Panama Canal Commission Police between October 1, 1979 and March 31, 1982.

Categories of records in the system:

Subject's photo number, height, date of arrest, and the district in which the arrest occurred.

Authority for maintenance of the system:

6 Panama Canal Code 3701-44, 76A Stat. 503-5; 22 U.S.C. 3831 (Supp. III 1979); Article XI of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosed to civilian and military investigative and law enforcement department of the U.S. Government, and Government of Panama courts, and other parties, including eye-witnesses to crimes as required to assist in identification of known or alleged criminal offenders. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

3 by 5 inch photographs.

Retrievability:

By photo number, and by number entered on the arrest record.

Safeguards:

Maintained in Agency Records Center, a building locked when not in use. Access and use are restricted to authorized personnel only.

Retention and disposal:

Indefinitely. No disposition schedule established.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Record source categories:

All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.21 and 10.22.

PCC/GSPL-7

System name:

Fingerprint File, PCC/GSPL-7

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

All persons having been fingerprinted by, or whose prints have been provided to the Canal Zone Government Police on or before September 30, 1979, or by the Panama Canal Commission Police between October 1, 1979 and March 31, 1982.

Categories of records in the system:

Subject's name, occupation, age, fingerprint classification, offense or reason for printing, actual prints.

Authority for maintenance of the system:

6 Panama Canal Code 3701-44, 76A Stat. 503-5; 22 U.S.C. 3831 (Supp. III 1979); Article XI of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosed upon request to other law enforcement agencies and to courts consistent with the identification and/or apprehension of criminal offenders. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms 4 by 6 inches.

Retrievability:

By fingerprint classification.

Safeguards:

Maintained in Agency Records Center, a building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Retained indefinitely.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Systems exempted from certain provisions of the act:

All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.21 and 10.22.

PCC/GSPL-10

System name:

Master Name File, PCC/GSPL-10.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Persons who have been reported missing; persons who had outstanding warrants; persons who had been arrested; persons about whom offenses had been reported to the police; and/or persons who had been involved in an incident coming to the attention of the Canal Zone Government Police on or before September 30, 1979, or to the attention of the Panama Canal Commission Police between October 1, 1979 and March 31, 1982.

Categories of records in the system:

Name, identifying number, residence, birth date, citizenship, occupation, employer, photograph number, fingerprint classification, convict number, alias, sex, type of warrant, violations of law committed, date and time of the arrest/incident, investigating/arresting officer, notations about the arrest/incident.

Authority for maintenance of the system:

6 Panama Canal Code 3701-44, 76A Stat. 503-5; 22 U.S.C. 3831 (Supp. III 1979); Article XI of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Released to investigatory agencies and law enforcement agencies as required to assist in the apprehension and/or identification of known or alleged criminals, to prevent crime, locate witnesses etc. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

3 by 5 inch cards, including reference cards to the fingerprint files.

Retrievability:

Filed by name of person.

Safeguards:

Maintained in Agency Records Center, a building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal:

Maintained indefinitely on persons who have been arrested and prosecuted for a felony. All others destroyed by burning ten years after reported incident.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Systems exempted from certain provisions of the act:

All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.21 and 10.22.

PCC/GSPL-15

System name:

Complaints Against Policemen File, PCC/GSPL-15.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

All police personnel about whom written complaints have been submitted from citizens.

Categories of records in the system:

Subjects's name, badge number, date and time of the complaint, facts of the complaint as stated by the complainant, officer's statement as to his actions, decision on complaint, actions taken by person investigating the complaint, results of the complaint.

Authority for maintenance of the system:

22 U.S.C. 3831 (Supp. III 1979); Article XI of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Original letter of complaint.

Retrievability:

By name of subject-police officer.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Maintained indefinitely. No disposition schedule established.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Request should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

From person making complaint; from employee; witnesses; investigating officer(s).

PCC/GSPL-16

System name:

Traffic Accident Reports, PCC/GSPL-16.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Persons involved in traffic accidents which occurred in the Canal area.

Categories of records in the system:

Driver's name, identifying number, license number, residence, birth date, age, sex, citizenship, occupation, employer, address of employer, description of vehicle or vehicles involved, name, address and telephone number of owner of vehicle, violations committed, notations of court proceedings and dispositions, investigating officer's name, and facts and observations of the investigation. Subsystem contains driver's name, identifying number or date of birth, and traffic accident number.

Authority for maintenance of the system:

22 U.S.C. 3831 (Supp. III 1979); Article XI of the Panama Canal Treaty of 1977; 6 Panama Canal Code 1691.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Routinely released to court officials, owners of vehicles, insurance companies, and law enforcement agencies with a need to know. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10. Appendix A

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms 8½ by 11 inches; index cards; punch cards; magnetic tape; and computer-produced reports.

Retrievability:

Accident reports filed by accident number and date, cross-indexed by name of driver. Information on magnetic tape not retrievable by personal identifier.

Safeguards:

Inactive files maintained in Agency Records Center, a building locked when not in use. Accident report files in Agency Records Center normally released only to designated Panama Canal Commission Police officials. Access to and use of all records restricted to authorized personnel.

Retention and disposal:

Manual files destroyed five year after final disposition of case. Information on magnetic tape automatically expunged three years after date of report unless longer retention is specifically requested. Computer-produced reports retained at Support Services Branch up to ten years and then destroyed.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Compiled from information provided by the vehicle operator, witnesses, and the investigating officer.

PCC/GSPL-18

System name:

Prisoner Property Record, PCC/GSPL-18.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Persons whose personal property was held or seized by the police at the time of arrest or incarceration.

Categories of records in the system:

Consists of the receipt number, prisoner's name, money, and other property seized or held; the name of the receiving officer, and the receipt for return of the property.

Authority for maintenance of the system:

6 Panama Canal Code 4901-7, 76A Stat. 544-5; 22 U.S.C. 3831 and 3852 (Supp. III 1979); Article XI of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms

Retrievability:

Filed and retrieved by receipt number.

Safeguards:

Maintained in Agency Records Center, a building locked when not in use. Access and use restricted to authorized personnel.

Retention and disposal:

Held 3 years after property is returned. Destroyed.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

From prisoner, and officer completing the form.

PCC/GSSP-1

System name:

Expert and Consultant Records, PCC/GSSP-1.

System location:

Agency Records Center, Bldg. 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Experts and consultants procured by contract to furnish services to the Panama Canal Commission.

Categories of records in the system:

Curriculum vitae of individuals, copies of contracts and charges, and related papers.

Authority for maintenance of the system:

5 U.S.C. 3109; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977 and Article XI of the Agreement in Implementation of Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed or retrievable alphabetically by name.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Destroyed by shredding or burning six years after final payment.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject individual, references provided by individual and peers, and the component of the Canal Commission requesting expert or consultant services.

PCC/GSSS-1

System name:

Vessel Employee Records, PCC/GSSS-1.

System location:

Logistical Support Division, New Orleans Branch, Bldg. 601-5-A, Panama Canal Commission, 4400 Dauphine Street, New Orleans, Louisiana 70146-6800.

Categories of individuals covered by the system:

Former crew members of the S.S. Cristobal.

Categories of records in the system:

Personal data on former crewmembers of S.S. Cristobal, including information on qualifications, positions occupied, "Z" number, next of kin, and adverse and disciplinary action record.

Authority for maintenance of the system:

5 U.S.C. 301; 22 U.S.C. 3611 (Supp. III 1979); 46 U.S.C. Chapter 18; Articles III and X of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Cards.

Retrievability:

Filed or retrievable alphabetically by name.

Safeguards:

Stored in locked metal file cabinets in building with around-the-clock guard. Access and use are restricted to authorized personnel.

Retention and disposal:

Permanent.

System manager(s) and address:

Chief, Logistical Support Division, New Orleans Branch, Bldg. 601-A, Panama Canal Commission, 4400 Dauphine Street, New Orleans, Louisiana 70146.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addresses designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject individual, supervisors, union officials, and U.S. Coast Guard.

PCC-CZG/HL-1

System name:

Health, Medical, Dental, and Veterinary Records Systems, PCC-CZG/HL-1.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama; Federal Records Center, East Point, Georgia.

Categories of individuals covered by the system:

Employees of the Canal agencies; individuals in the service of and sponsored by a U.S. Government agency (U.S. Armed Forces, State Department, Veterans Administration, U.S. Public Health Service, Federal Aviation Administration; Federal Highway Administration; Smithsonian Institute); retired U.S. Government employees; district dentists and their employees, concessionaires of the Canal organization; Canal Zone land licensees; Canal Zone religious, social, charitable, and educational workers; U.S. Government contractors and their employees; Canal Zone commercial company employers; and the dependents of individuals in the preceding categories who reside with the individuals. Persons other than dependents who are U.S. Government authorized Canal Zone visitors or residents; merchant seamen in transit and unsponsored individuals from ocean-going vessels; prisoners at the Canal Zone Penitentiary; charity cases sponsored by the Canal Zone United Way and teaching cases; nonresident private pay patients; and noneligible, nonsponsored individuals receiving emergency treatment.

Categories of records in the system:

Qualification physical examinations: Pre-employment, and periodic medical examinations to determine fitness for duty consistent with job qualifications and requirements. Inpatient hospital medical charts: All medical information and records relating to an individual's hospitalization. Outpatient medical charts: Documentation of medical treatment received by an individual on an outpatient basis from hospital, clinics, first aid stations, and other health facilities. Also may contain abstracts of inpatient hospitalizations. Public health records: Information on individuals in community health programs for control of communicable diseases, industrial health, school health, quarantine, sanitation, and environmental quality control. Mental health records: All medical information and records which pertain to an individual's outpatient and/or inpatient treatment for psychiatric services, drug and alcohol rehabilitation, and other social service or psychological support. Dental care records: Information relating to an individual's history of dental care as documented in separate and distinct dental care records. Animal care and hospitalization records: Information which pertains to the quarantine, care and treatment of animals. Mortuary service records: Information regarding mortuary services furnished.

Authority for maintenance of the system:

2 C.Z.C. 911 and 912, 76A Stat. 36; 5 C.Z.C. 1631-56, 76A Stat. 353-360; 6 C.Z.C. 1101, 2, and 9, 76A Stat. 448 and 450; 6 C.Z.C. 4784, 76A Stat. 540; 21 U.S.C. 1171-5 and 1180; 42 U.S.C. 257 and 4561; Pub.L. 93-282; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information that does not relate to alcohol or drug abuse may be released from these records to the extent needed, as follows:

1. To other Federal agencies and offices that are responsible by statute or other competent authority for Federal programs to which the records are pertinent, such as the components of the U.S. Armed Forces, the Social Security Administration, the Veterans Administration, the Civil Service Commission, retired military pay centers.
2. To the Communicable Disease Center, Atlanta, Georgia, and private contractors providing benefits under the auspices of the Canal or other Federal agencies.
3. To the police or other competent authority when the director of the hospital or other Health Bureau unit determines that prompt release of such information is essential for the apprehension of a criminal, protection of the patient, or protection of the public. Examples would be cases involving suspected child abuse, death from unnatural causes, or communicable disease.

Information may be released from these records to the extent needed, as follows:

1. To officials of other Federal agencies when requested in writing for purposes of determination of cause of death, compilation of vital statistics, management or financial audits or program evaluation, and approved scientific research in which patient identity will not be disclosed.
2. Respond to general requests for statistical information, under the Freedom of Information Act while maintaining individual anonymity.
3. To provide documentation to sponsoring agencies or other foreign governments as regards their patients consistent with the need-to-know rules of confidentiality, and procedural security in the release of information.
4. To provide basis for administrative and professional decisions regarding the coordination with U.S., foreign, and international health agencies in disease prevention and control, including information related to zoonotic and agricultural disease; inspection, surveillance, and control of food products; and international quarantine measures.
5. To medical personnel to the extent necessary to meet a bona fide emergency.
6. To a court of competent jurisdiction if authorized by an appropriate order granted after application showing good cause therefor.

See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders, individual forms, and cards.

Retrievability:

Records or cross-reference index cards providing access to records are filed alphabetically by name.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Physical examination records except for those held for transfer into official personnel folder destroyed after 6 years; hospital inpatient medical charts destroyed 25 years after patient's discharge from hospital; outpatient medical charts destroyed 6 years after year of last entry in file; medical x-ray and radiographic reports filed separately from medical charts destroyed after 8 years except for selected items held indefinitely for teaching or claims purposes; veterans; case files destroyed 6 years after date of last papers in folder; venereal disease charts filed separately from medical charts destroyed 6 years after last entry mental health patient records destroyed 25 years after patient's discharge; animal patient records destroyed 6 years after last entry; patient index cards are permanent; program files are permanent; and duplicate records are destroyed after 3 years. (Note: Destruction suspended until further notice.)

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Individuals requesting information should provide full name, date of birth, social security number (optional), agency affiliation at time of medical treatment, inclusive dates, when medical treatment was rendered, or other specific information applicable to the inquiry that might assist in identification. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of the addresses in Notification Procedures, preceding. Procedures for disclosure of information from the medical records of the individual requesting access are set forth in 35 CFR 10.9.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

The individual to whom the medical record pertains; attending physicians and allied health personnel involved in the patient's treatment; medical records and information received from outside sources; and information from sponsoring agencies.

PCC-CZG/HL-2

System name:

Medical Administration System Exempt, PCC-CZG/HL-2.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Employees of the Canal agencies; individuals in the service of and sponsored by a U.S. Government agency (U.S. Armed Forces, State Department, Veterans Administration, U.S. Public Health Service, Federal Aviation Administration; Federal Highway Administration; Smithsonian Institute, etc.); retired U.S. Government employees; district dentists and their employees; concessionaires of the Canal organization; Canal Zone land licensees; Canal Zone religious, social, charitable, and educational workers; U.S. Government contractors and their employees; Canal Zone commercial company employees; and the dependents of individuals in the preceding categories who reside with the individuals. Persons other than dependents who are U.S. Government authorized Canal Zone visitors or residents; merchant seamen in transit and unsponsored individuals from ocean-going vessels; prisoners at the Canal Zone Penitentiary; charity cases sponsored by the Canal Zone United Way and teaching cases; nonresident private pay patients; noneligible, nonsponsored individuals receiving emergency treatment; and children placed for adoption or in foster homes.

Categories of records in the system:

Medico-legal: Documentation and correspondence which relates to medical records and is obtained in the processing of blood alcohol and urine drug screening procedures, rape cases, injury and claim cases, deaths and other unusual incidences. Investigation records: Detailed audits, special and routine investigations and inquiries regarding Health Bureau activities. Child abuse program: Files relating to the administrative and professional management of suspected and actual cases of child abuse. Social Services files: Files containing personal information resulting from case studies and social work counseling. Adoption program: Background information on social services management of pre-adoption home studies, child placement, counseling and follow-up actions. Foster home program: Personal data and background studies on persons interested in participation in the Foster Home Program. Complaints: Background information and investigative correspondence promulgated by complaints regarding medical care rendered. Utilization and peer review files: Sensitive information regarding the quality of care provided to patients, reasons for length of stay of patients, and other monitoring requirements as specified by accrediting agencies.

Authority for maintenance of the system:

2 C.Z.C. 31-33, 911 and 912, 76A Stat. 7, 76A Stat. 36; 5 C.Z.C. 1631-56, 76A Stat. 353-360; 6 C.Z.C. 541 and 4784, 76A Stat. 429 and 540; 8 C.Z.C. 381-7, 76A Stat. 690-1; 21 U.S.C. 1171-5 and 1180; 42 U.S.C. 257 and 4561; and P.L. 91-513, and 93-282; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information may be released from these records to the extent needed, as follows:

1. To the Joint Commission for Accreditation of Hospitals for hospital accreditation.
2. To officials of other Governments and private organizations in the Canal Zone to coordinate the medical treatment of victims of child abuse and the provision of professional assistance for those involved in such cases.
3. To members of the community and other Government organizations who are serving on committees or are assigned to adoption, foster home, and other social service programs.

See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed or cross-referenced alphabetically by name.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Permanent.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Individuals requesting information should provide full name, date of birth, social security number (optional), agency affiliation at time of medical treatment, inclusive dates when medical treatment was rendered, or other specific information applicable to the inquiry that might assist in identification. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of the addresses designated in Notification Procedures, preceding. Procedures for disclosure of information from the medical records of the individual requesting access are set forth in 35 CFR 10.9.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

The individual to whom the medical record pertains; attending physicians and allied health personnel involved in the patient's treatment; medical records and information received from outside sources; administrative, professional, and investigatory personnel and records; testimonies and statements of individuals concerned with case; court, police, and personnel records; and information from sponsoring agencies.

Systems exempted from certain provisions of the act:

All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.22.

PCC-CZG/HL-3

System name:

Medical Administration System—Nonexempt, PCC-CZG/HL-3.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Employees of the Panama Canal Company and Canal Zone Government; individuals in the service of and sponsored by other U.S. Government agencies (U.S. Armed Forces, State Department; Veterans Administration; U.S. Public Health Service; Federal Aviation Administration; Federal Highway Administration; Smithsonian Tropical Research Institute, etc.); retired U.S. Government employees; district dentists and their employees; concessionaries of the Canal Zone organization; Canal Zone land licensees; Canal Zone religious, social, charitable, and educational workers; U.S. Government contractors and their employees; Canal Zone commercial company employees; and the dependents of individuals in the preceding categories who reside with the individuals. Persons other than dependents who are U.S. Government-authorized Canal Zone visitors or residents; merchant seamen in transit and unsponsored individuals from ocean-going vessels; prisoners at the Canal Zone Penitentiary; charity cases sponsored by the Canal Zone United Way and teaching cases; nonresident private pay patients; and noneligible, nonsponsored individuals receiving emergency treatment.

Categories of records in the system:

Individual registration, licensure, and certification records: Information maintained in connection with the monitoring of medical specialty training programs and certification of accreditation, including information on state and Canal Zone medical licenses held by individuals. Curriculum viates: Comprehensive information on qualifications and background of key Health Bureau employees and visiting consultants. Drug and controlled substances records: Administrative files maintained in accordance with regulations relating to the control of narcotics. Program accreditation and certification records: Correspondence and reports relating to the management and control of activities by the professional and administrative staff, including identification of deficiencies. Medical treatment indices: Records maintained by patient, disease code, physician, patient age, patient length of stay, discharge, diagnoses, and operative procedures to meet requirements of the Joint Commission for Accreditation of Hospital. Hospitals billing and bill reduction and cancellation records: Billings to insurance companies and through Agents Accounts and Payroll Branches and information obtained to make determinations regarding the ability of individuals to pay for medical treatment. Housing exceptions records: Medical backup information used in evaluating formal written requests from employees for assignment for medical reasons to government housing for which they are otherwise ineligible. Fiscal accounting records: Information regarding medical treatment rendered and tariff charges, including patient invoices. Blood bank and donor records: Information specifying donors' blood types, addresses, telephone numbers, and blood donations. Locator records: Information on location, status, and assignments of patients and employees. Hospital population records: Listings of patient. Veterans Administration data: Information pertinent to the hospitalization and of Veteran Administration beneficiaries. Medical evaluation boards: Information on the composition and administration of medical evaluation boards. Aeromedical evacuation records: Information obtained for making determinations of the necessity of evacuating patients by air. Incident reports on such evacuations. Radiation exposure records: Data on individuals exposed to radiation. Community health and environmental reports. Medical Correspondence records.

The following portions of the system are on computer.

a. Hospital Census Program: Persons who are inpatients at Canal Zone medical facilities at the time the report is compiled. Includes the patient's name and/or name of sponsoring employee or agency, the patient's sex, marital status, religion, citizenship, residence, dates of admission, treatment and discharge.

b. Hospital Inpatient Billing and Statistical Information, including name of patient, name of employee/sponsor or sponsoring agency, employing unit, address, telephone number citizenship, insurance carrier, etc. of persons who are obtaining inpatient service at Canal Zone Government medical facilities.

c. Hospital Outpatient Billing Program: Information, including name of person receiving treatment during the period for which the report is compiled, the name of employee/sponsor or his sponsoring agency, employing unit, address, citizenship, telephone number, insurance carrier, etc. of persons obtaining outpatient services at Canal Zone Government medical facilities.

Authority for maintenance of the system:

2 C.Z.C. 31-33, 911 and 912 76A Stat. 7, 76A Stat. 36: 5 C.Z.C. 1631-56, 76A Stat. 353-360; 6 C.Z.C. 1101, 2 and 9, 76A Stat. 448 and 450; 6 C.Z.C. 4784, 76A Stat. 540; 21 U.S.C. 1171-5 and 1180; 42 U.S.C. 257 and 4561; and Pub.L. 91-513, and 93-282; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information that does not relate to alcohol or drug abuse may be released from these records to the extent needed, as follows:

1. To Federal agencies and other organizations responsible by statute or other competent authority for programs to which the information is pertinent, such as components of the U.S. Armed Forces, the Social Security Administration, the Veterans Administration, the Civil Service Commission, retired military pay centers, and the Joint Commission for Accreditation of Hospitals;

2. To insurance companies and sponsoring agencies, organizations, or foreign governments for the purpose of documenting treatment or billings;

3. To officials of other agencies, foreign governments, and private organizations in connection with treatment and professional assistance in child abuse cases and in connection with adoption, foster home, and other social service programs; and

4. To United States, foreign and international health officials and agencies, including the Communicable Disease Center, in connection with the reporting of human and animal communicable diseases.

See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders; cards; individual forms; magnetic tape/disks and punched cards; and computer printouts.

Retrievability:

Paper records or cross-reference index cards providing access to records are filed alphabetically by name. Information retrievable from computer by patient's or employee's number.

Safeguards:

Access and use restricted to authorized personnel.

Retention and disposal:

Accounting and billing records destroyed after four years; blood donor cards, when donor no longer available or able to give blood; location records, when superseded; Veterans Administration beneficiaries, six years after date of last paper in folder; aeromedical evacuation records, after three years. Curriculum vitaes and individual registration, licensure, and certification records: For civilians, destroyed 1 year after separation; for military, retained 7 years after departure, transferred to Agency Records Center for 3 additional years, then destroyed. Drug and controlled substances records destroyed after 2 years. Program accreditation and certification records retained at least 3 years. Medical correspondence records retained 10 years before transfer to Agency Records Center. Computer produced reports: Hospital Census Report destroyed when updated report issued; Hospital Inpatient and Statistical Report destroyed when updated report issued; Hospital Outpatient Billing Report retained for 2 months after processing by billing personnel. Other records permanent.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Individuals requesting information should provide full name, date of birth, social security number (optional), agency affiliation at time of medical treatment, inclusive dates when medical treatment was rendered, or other specific information applicable to the inquiry that might assist in identification. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated in Notification Procedures, preceding. Procedures for disclosure of information from the Medical records of the individual requesting access are set forth in 35 CFR 10.9.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

The individual to whom the record pertains, medical and other administrative records, physicians and allied health personnel, other offices of the Canal agencies, schools and colleges, certifying and accrediting officials, the United States Armed Forces and the Veterans Administration, and other hospitals, physicians, boards, and committees.

PCC/PR-14

System name:

Arrest Record File, PCC/PR-14.

System location:

Support Services Branch, Building 729, Balboa, R.P.

Categories of individuals covered by the system:

All individuals who had been arrested, fingerprinted, photographed for violations of law. Also includes those persons required to appear in Magistrates Court for traffic violations.

Categories of records in the system:

Name, alias, age, birth date, marital status, color, sex, felony or misdemeanor charge, type of arrest, convict number, photograph number, nationality, residence, occupation, employer, drivers license number, identifying numbers, complainant, location of arrest, court dates and disposition.

Authority for maintenance of the system:

6 Panama Canal Code 1691–1716, 3701–44, 76A Stat. 474–6, 503–5; 22 U.S.C. 3831 (Supp. III 1979); Article XI of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To provide statistical data, to identify criminal offenders, and to index such information for use by law enforcement agencies, courts, consular and diplomatic officials and others with a valid need to know. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed cards 4 by 6 inches and microfilm cassettes.

Retrievability:

Indexed by name.

Safeguards:

Maintained in locked Kard-Veyer (rotary file) and locked microfilm file cabinet. Access and use are restricted to authorized personnel.

Retention and disposal:

Maintained indefinitely, no disposition schedule established.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the Systems Manager or the Agency Records Officer, Panama Canal Commission, APO Miami 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Requests should be addressed to either of addressees designated on Notificaton Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Compiled from individual arrest reports, from person arrested, and from identifying case report serial numbers.

PCC-CZG/SC-4

System name:

Refugee Records, PCC-CZG/SC-4.

System location:

Agency Records Center, Building 42-D, Diablo, Republic of Panama.

Categories of individuals covered by the system:

Persons who were granted temporary refuge in the Canal Zone because of civil disturbance or natural disaster or because they are seeking political asylum.

Categories of records in the system:

Personal information about refugees and their families; documentation establishing refugee status, conduct agreements, housing arrangements, information on entry and departure, and related papers.

Authority for maintenance of the system:

2 C.Z.C. 841, 76A Stat. 32; E.O. 11305; 22 U.S.C. 2601-5; E.O. 11077; 22 U.S.C. 3611 (Supp. III 1979); Article III of the Panama Canal Treaty of 1977.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information may be released from these records on a need-to-know basis to officials of the U.S. and foreign governments in connection with the rehabilitation or relocation of refugees. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records in file folders.

Retrievability:

Filed alphabetically by name of refugee.

Safeguards:

Access and use are restricted to authorized personnel.

Retention and disposal:

Permanent.

System manager(s) and address:

Chief, Records Management Branch, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000.

Notification procedure:

Information may be obtained from the System Manager or the Agency Records Officer, Panama Canal Commission, APO 34011-5000. Rules are published in 35 CFR Part 10.

Record access procedures:

Request should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures:

See rules published in 35 CFR Part 10.

Record source categories:

Subject individuals and members of their families; personnel of the Community Services Division, and officials of the canal agencies, other U.S. Government agencies and foreign governments concerned with the rehabilitation or relocation of refugees.

Title 35-Panama Canal

Chapter I-Panama Canal Regulations

PART 10—ACCESS TO INFORMATION ABOUT INDIVIDUALS

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Appendix A—General Routine Uses

Authority: 5 U.S.C. 552a.

Source: 44 FR 75312, Dec. 19, 1979, unless otherwise noted.

§ 10.1 Purpose of this part.

The purpose of this part is to establish Panama Canal Commission policies and procedures for implementing the Privacy Act of 1974 (Pub. L. 93–579), and particularly the provisions of 5 U.S.C. 552a.

§ 10.2 The Privacy Act of 1974.

The Privacy Act of 1974 (referred to in this part as "the Privacy Act") is a law which provides safeguards against the invasion of an individual's personal privacy. The Privacy Act creates a procedure for an individual to request access to or amendment of a record about himself or herself that is maintained by an agency of the United States Government. It also places certain restrictions on the disclosure of records containing information about an individual to other persons. The rest of the rules in this part:

(a) Explain how you may request access to or amendment of records about yourself that are maintained by the Panama Canal Commission (referred to in this part as "the Commission" or "the agency");

(b) Explain the conditions under which the Commission may disclose information about an individual to others without the individual's consent; and

(c) List the systems of records maintained by the Commission which are exempt from certain provisions of the Privacy Act, including the provisions for access and amendment.

§ 10.3 Definitions.

(a) All terms used in this part which are defined in the Privacy Act (5 U.S.C. 552a(a)) shall have the same meanings as they do in that Act.

(b) "Agency Records Officer" means the Chief, Administrative Services Division, Panama Canal Commission.

(c) "Director of Executive Administration" means the Director, Office of Executive Administration of the Panama Canal Commission.

(d) "System Manager" means the official designated in the most recent Notice of Systems of Records published in the **Federal Register**, as having responsibility for a given system of records.

[44 FR 75312, Dec. 19, 1979 as amended at 46 FR 48659, Oct. 12, 1981]

§ 10.4 When this part applies.

(a) This part applies only to information about individuals that is maintained by the Panama Canal Commission in a system of records which has been described in a notice published in the **Federal Register**. This means that these regulations apply only to information about an individual that can be retrieved from a group of records by the individual's name or other personal identifier (such as an employee identification number).

(b) Where another agency (such as the Office of Personnel Management) has published a notice describing a system of records that is partially under the control of the Panama Canal Commission, the Privacy Act regulations of that agency take precedence over the regulations in this part.

§ 10.5 How to make a Privacy Act request.

(a) You may find it helpful to review the descriptions of Commission systems of records, as published in the **Federal Register**, before you make a request. You may review these in the annual compilation of "Privacy Act Issuances," available at libraries, or, upon request, at the Records Management Branch, Administration Building, Balboa Heights, Republic of Panama.

(b) To find out whether a particular system of records contains information about you, or to request access to records about yourself, you must:

(1) Write or visit the system manager or the Agency Records Officer. The title and address of the system manager are given in the Notice of System of Records published in the **Federal Register**. The office of the Agency Records Officer is located in the Administration Building, Balboa Heights, Republic of Panama, and that official's mailing address is: Panama Canal Commission, Agency Records Officer, APO Miami 34[illegible] (or Balboa, Republic of Panama).

(2) Reasonably identify the system of records or the type of information, or records, you are interested in. Be as specific as you can. If you do not know which system of records is involved, it will be helpful if you identify the office where you believe the records may be located.

(3) Adequately identify yourself in accordance with the requirements contained in § 10.6 of this part.

(c) If you make your request in writing, state in your letter that you are making a request under the Privacy Act and clearly mark the envelope with the words "Privacy Act Request." A request under 5 U.S.C. 552a which is not properly addressed and is not marked in this way shall not be considered to have been received by the agency until it has actually been received by the system manager or the Agency Records Officer.

§ 10.6 How to identify yourself.

(a) If you make your request in person, or if you wish to review your records in person, you must identify yourself to the system manager or the Agency Records Officer (or to a person designated by one of those officials) by showing at least one identification document containing your picture (for example, employee identification card, driver's license, passport), or at least two identification documents containing your signature, or other identification acceptable to the official concerned.

(b) If you make your request in writing, you must supply information that will help to verify your identity (for example, signature, employee identification number, date and place of birth), and you may also be required to provide the certificate of a notary public or other official authorized to administer oaths.

(c) Whether making your request in person or in writing, if you cannot identify yourself to the satisfaction of the system manager or the Agency Records Officer (or the person designated by one of those officials), you may be asked to make and sign a written statement asserting your identity and indicating that you understand that knowingly and willfully requesting or obtaining access to any record about another individual under false pretenses is a misdemeanor punishable by a fine of up to $5,000 (5 U.S.C. 552a(i)(3)).

§ 10.7 How your Privacy Act request will be handled.

(a) The system manager or the Agency Records Officer will acknowledge receipt of your request within ten working days. At the same time, or as soon as possible after acknowledging receipt, that official will:

(1) Tell you that a record about you is maintained in the system of records you identified and tell how you may review it, or get a copy; or

(2) Tell you that no record about you is maintained in the system of records you identified; or

(3) Tell you that your inquiry cannot be answered or your request cannot or will not be granted because you have not adequately identified yourself or the system of records; because the system of records in question is exempt from the access provisions of the Privacy Act; or because the record or system of records in question is not under the control of the Commission.

(b) When the system manager or the Agency Records Officer makes a decision to grant you access to the records you requested, you normally may see the records or get copies of them right away. If, for any reason, the records cannot be provided immediately, that official will arrange with you a mutually acceptable time and place for you to review and copy the records. If that official cannot make the records available to you within 30 working days of receipt of your request, that official will advise you in writing of the reason for the delay.

§ 10.8 When, where, and under what conditions you may review the records.

(a) If you want to review your records in person, you will normally be required to go during regular working hours to the location specified in the Notice of the System of Records or to the office of the Agency Records Officer, in the Administration Building, Balboa Heights, Republic of Panama. If you cannot go in person during regular working hours, you should telephone or write the system manager or the Agency Records Officer so that appropriate arrangements can be made for you to review the records.

(b) You must identify yourself to the system manager or the Agency Records Officer (or to a person designated by one of those officials) in accordance with the requirements contained in § 10.6 of this part.

(c) If you have been told that you may review your records in person, you may, upon your request, be accompanied by a person of your choosing. You will however, have to provide the system manager with a written signed statement authorizing disclosure of the records about you to that person, and authorizing discussion of your records in the presence of that person.

(d) You may be shown a copy of a record rather than the original record itself when the record is not maintained at, or cannot be transferred to, a location which is accessible to you. In that event, you will be charged for the copies only if you choose to retain them. If copies are made at your request, the agency will charge you the cost of making the copies, as stated in § 10.11 of this part.

(e) No one shall be allowed to inspect original agency records except under the immediate supervision of the system manager, or the Agency Records Officer, or a person designated by one of those officials.

§ 10.9 Special procedures for medical records.

(a) If you request medical records about yourself, including psychiatric and psychological records, the records will be made available to you only after the Director of Health and Safety, or that official's designee, determines that release of the records would not be likely to have an adverse effect on you. If they are not made available to you, upon your written request the medical records which are not otherwise exempt from disclosure may be reviewed by a licensed medical practitioner designated by you.

(b) School records of a psychological nature may be shown to the student who is the subject of the records or to the parent or guardian of the student only if the Director of Health and Safety, or that official's designee, determines that the release would not be likely to have an adverse effect on the individual who is the subject of the records.

§ 10.10 How to request review of a system manager's denial of access.

(a) If the system manager denies your request for records, in whole or in part, you may ask the Agency Records Officer to review that decision. The denial is not considered a final agency decision unless it has been reviewed and confirmed in writing by the Agency Records Officer.

(b) To request review of a system manager's denial, you must:

(1) Write to the Panama Canal Commission, Agency Records Officer, APO Miami 34011 (or Balboa, Republic of Panama); and

(2) State in your letter that you are requesting review of the system manager's denial and clearly mark the envelope "Privacy Act Request for Review"; and

(3) Mail or deliver the request for review within ten working days after you receive the system manager's denial.

(c) Although it is not required, it may be helpful if you state in your request for review the reasons why you disagree with the decision on your request for access and your reasons for wanting the records.

§ 10.11 Fees for Privacy Act requests.

(a) The fees for copies of records made at your request under this section will be the same as the fees provided in § 9.11(a) (3), (4), (5), (6), (7); (c); and (e) of this title for copies of materials provided under the Freedom of Information Act.

(b) If your request for copies of records or portions of records is expected to involve fees of more than $50, the Commission will not treat your request as having been received until:

(1) The Commission has sent you a written notification of the estimated fees; and

(2) You agree in writing to pay at least the estimated fees; and

(3) You pay part of the estimated fees in advance, if the agency requires such a deposit before it will begin to copy the records you have requested.

§ 10.12 How to request amendment of your record under the Privacy Act.

After you have reviewed your record, you may ask the Commission to correct or amend any portion of the record that you believe is not accurate, timely, relevant, or complete. To make a request for amendment, you must:

(a) Write to the Panama Canal Commission, Agency Records Officer, APO Miami 34011 (or Balboa, Republic of Panama).

(b) State in your letter that you are requesting amendment of a record under the Privacy Act, and clearly mark the envelope "Privacy Act Request for Amendment." A request for amendment of a record under 5 U.S.C. 552a which is not properly addressed and is not marked in this way shall not be considered to be received by the Commission until it has actually been received by the Agency Records Officer.

(c) In your letter, identify the system of records involved, if you can, and identify the particular record or portion of the record you wish to have corrected or amended. If possible, attach a copy of the record in question.

(d) Explain in your letter why you believe the record or portion of the record is not accurate, timely, relevant, or complete, and provide any evidence available to support your request.

(e) Include in your letter any other information that may be necessary for proper processing of your request.

§ 10.13 How your Privacy Act request for amendment will be handled.

(a) The Agency Records Officer (or that official's designee) will decide whether your request for amendment of a record should be granted. That official (or the designee) will acknowledge receipt of your request within ten working days and will either notify you of the decision or tell you when you can expect to have the decision. If a decision cannot be made within 30 working days of the receipt of your request, the Agency Records Officer (or the designee) will advise you in writing of the circumstances causing the delay.

(b) If your request for amendment is granted, in whole or in part:

(1) The Agency Records Officer (or that official's designee) will notify you of this decision·

(2) The system manager will promptly correct the record; and

(3) Where an accounting of disclosures has been maintained, the system manager will advise all previous recipients of the record that the correction has been made.

(c) If your request for amendment is denied, in whole or in part, the Agency Records Officer (or that official's designee) will notify you of this decision and will:

(1) Tell you why the request is being denied;

(2) Tell you that you have the right to request further review by appealing the decision; and

(3) Tell you how to make an appeal.

§ 10.14 How to appeal a refusal to amend a record under the Privacy Act.

(a) If the Agency Records Officer (or that official's designee) has denied your request to amend a record, you may request the Executive Secretary to review that decision. This is called "making an appeal."

(b) To make an appeal, you must:

(1) Write to the Panama Canal Commission, Director, Office of Executive Administration, APO Miami 34011 (or Balboa, Republic of Panama); and

(2) State in your letter that you are appealing a denial of a request for amendment under the Privacy Act, and clearly mark the envelope "Privacy Act Appeal"; and

(3) Mail or deliver the letter of appeal within ten working days after you receive the initial agency denial.

[44 FR 75312, Dec. 19,1979 as amended at 46 FR 48659, Oct 2, 1981]

§ 10.15 How your Privacy Act appeal will be handled.

(a) The official responsible for deciding whether to grant your appeal is the Director of Executive Administration of the Panama Canal Commission. The Director of Executive Administration will review the refusal to amend your record and will advise you of his decision within 30 working days of receipt of your appeal.

(b) If the Director of Executive Administration grants your appeal, in whole or in part:

(1) That official will notify you of the decision;

(2) The system manager will promptly correct the record; and

(3) Where an accounting of disclosures has been maintained, the system manager will advise all previous recipients of the record that the correction has been made.

(c) If the Director of Executive Administration denies your appeal, in whole or in part, the letter sent to notify you of this decision must:

(1) Tell you why the appeal is being denied;

(2) Tell you that this denial of your appeal is a final agency decision;

(3) Tell you that you have the right to file a concise statement of your reasons for disagreeing with the decision of the agency; and

(4) Tell you that you have the right to request a U.S. District Court to review this denial of your appeal, as provided by 5 U.S.C. 552a(g).

(d) The Administrator of the Panama Canal Commission may extend the 30-working-day period specified in paragraph (a) of this section for good cause shown. In that case, the Agency Records Officer will notify you in writing of the reason for the delay and will tell you when you can expect a decision on your appeal.

(e) If you choose to file a concise statement of your reasons for disagreeing with the agency's refusal to amend your record:

(1) The system manager shall cause a notation to be made on the disputed portion of the record;

(2) Copies of your statement of disagreement will be provided to anyone to whom the disputed record is subsequently disclosed and (to the extent that an accounting of disclosures has been maintained) to any previous recipients of the disputed record; and

(3) The Commission may, at its discretion, make a brief summary of its reasons for not amending the record and may provide this summary, along with your statement of disagreement, to previous or subsequent recipients of the disputed record.

[44 FR 75312, Dec. 19,1979 as amended at 46 FR 48659, Oct. 2, 1981]

§ 10.16 Rights of parents and legal guardians.

The parent of legal guardian of a minor or the legal guardian of an individual who has been declared incompetent may request access to, or amendment of, a record on behalf of that individual. To do so, a parent will be required to show a certified or authenticated copy of the minor's birth certificate, and a legal guardian will be required to show a certified or authenticated copy of the court order establishing guardianship. In some cases, the parent or legal guardian of a minor may be asked to provide evidence that the minor is in the parent's or guardian's custody, that the minor has consented to disclosure of the information to the parent or guardian, or that the parent or guardian has authority to act on the minor's behalf.

§ 10.17 Conditions under which the Commission may disclose an individual's record to other persons.

(a) The Commission shall not disclose information about an individual that is contained in one of its systems of records to any person or to another agency, except by written request of, or with the prior written consent of, the individual who is the subject of the record, unless the disclosure is authorized by paragraph (b) of this section or is required by other applicable law.

(b) Under 5 U.S.C. 552a, the Commission may disclose information contained in its systems of records, without the consent of the individual who is the subject of the record, if the disclosure of the information, or record, would be:

(1) To the parent or legal guardian of any minor, or to the legal guardian of any individual who has been declared to be incompetent by a court of competent jurisdiction, where such person is acting on the individual's behalf (5 U.S.C. 552a(h));

(2) To those officers and employees of the Commission who have a need for the information in the performance of their duties (5 U.S.C. 552a(b)(1));

(3) Required under 5 U.S.C. 552, the Freedom of Information Act (5 U.S.C. 552a(b)(2));

(4) For a routine use as defined in 5 U.S.C. 552a(a)(7) and as described for all systems of records in Appendix A of this part and for specific systems of records in the Notice of Systems of Records published in the **Federal Register** (5 U.S.C. 552a(b)(3));

(5) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity under the provisions of Title 13, U.S. Code (5 U.S.C. 552a(b)(4));

(6) To a recipient who has provided the Commission with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable (5 U.S.C. 552a(b)(5));

(7) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or that official's designee to determine whether the record has such value (5 U.S.C. 552a(b)(6));

(8) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the Commission specifying the particular portion desired and the law enforcement activity for which the record is sought (5 U.S.C. 552a(b)(7));

(9) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual, if upon such disclosure notification is transmitted to the last known address of such individual (5 U.S.C. 552a(b)(8));

(10) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee (5 U.S.C. 552a(b)(9));

(11) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office (5 U.S.C. 552a(b)(10)); or

(12) Pursuant to the order of a court of competent jurisdiction (5 U.S.C. 552a(b)(11)).

§ 10.18 Accounting of certain disclosures.

(a) The system manager or his designee shall keep an accurate accounting of each disclosure of personal information about an individual from a system of records under his control which is made in accordance with § 10.17(b) of this part, except if that disclosure is to officers and employees of the Commission (§ 10.17(b)(2)) or is required under the Freedom of Information Act (§ 10.17(b)(3)).

(b) This accounting of disclosure shall include:

(1) The date, nature, and purpose of each such disclosure; and

(2) The name and address of the person or agency to whom the disclosure is made.

(c) The system manager shall retain this accounting of disclosure for at least five years after the disclosure or for the life of the record, whichever is longer.

(d) The Commission shall make the accounting of disclosure available to the individual named in the record, at that individual's request, except when the disclosure was made under § 10.17(b)(8) of this part or when the record in question is exempt from the access provisions of the Privacy Act under §§ 10.21 and 10.22 of this part. An individual may request access to the accounting of disclosure by the procedure for requesting access to records that is explained in §§ 10.5 through 10.10 of this part.

§ 10.19 Records about deceased persons.

A record about a deceased person is not covered by the rules in this part, except to the extent that the deceased person's record contains information about a living individual. In disclosing information about a deceased person, the Commission will make every effort to avoid any infringement of the privacy rights of a living individual.

§ 10.20 Penalties for noncompliance with the Act.

Subsections (g) and (i) of 5 U.S.C. 552a provide civil remedies and criminal penalties for noncompliance with the provisions of the Privacy Act of 1974 (Pub. L. 93–579) or regulations implementing that Act. In addition, adverse or disciplinary action may be taken against any officer or employee who willfully or negligently fails to comply with the requirements of the Privacy Act or the regulations in this part.

§ 10.21 General exemptions.

(a) The systems of records listed in this section were, before October 1, 1979, maintained by units of the Canal Zone Government (Office of Internal Security, Canal Protection Division, Customs Division, Police Division, and Probation and Parole Unit) whose principal function was the performance of activities pertaining to the enforcement of criminal laws. These systems are now maintained by the successors of these units in the Panama Canal Commission. Identification of individuals who are (or are not) the subjects of investigative files, disclosure to such individuals of the contents of such files and of the persons or agencies to whom such contents may have been transmitted, and the imposition of certain restrictions on the manner in which investigatory data is collected, verified, or retained could be expected to preclude the apprehension or the successful prosecution of persons engaged in criminal activity. Accordingly, the following systems of records maintained by the Panama Canal Commission shall be exempt, pursuant to 5 U.S.C. 552a(j), from subsections (c) (3) and (4); (d); (e) (1), (2), and (3); (e)(4) (G), (H), and (I); (e)(5); (e)(8); (f); (g); (h); and (o) of 5 U.S.C. 552a and from the procedures for access and amendment set forth in §§ 10.5 through 10.10 and 10.12 through 10.16 of this part:

(1) PCC/AEPR–1, Probation and Parole Unit Child Custody Reports;

(2) PCC/AEPR–2, Presentence and Pre-Parole Investigation Reports;

(3) PCC/AEPR–3, Probation and Parole Unit Statistical File;

(4) PCC/AMSE–2, Cardex File—Contraband Violations;

(5) PCC/GSCP–2, Canal Protection Division Activity Report Files;

(6) PCC/GSIS–1, Personnel Security Files;

(7) PCC/GSPL–1, Law Enforcement Case Report Files;

(8) PCC/GSPL–2, Police Headquarters Confidential File;

(9) PCC/GSPL–3, Detective Confidential Files;

(10) PCC/GSPL–4, Convict Files;

(11) PCC/GSPL–5, Prisoner Record Cards;

(12) PCC/GSPL–6, Police Photo Files;

(13) PCC/GSPL–7, Fingerprint File;

(14) PCC/GSPL–8, Pending Detective Investigation;

(15) PCC/GSPL–9, Informant Name File;

(16) PCC/GSPL–10, Master Name File.

(b) An individual may not obtain access under this part to information contained in any system of records when such information is identified as having been obtained from a system of records that has been exempted by any agency from the provisions of 5 U.S.C. 552a(d) by authority of 5 U.S.C. 552a(j).

[44 FR 75312, Dec. 19, 1979, as amended at 46 FR 48659, Oct. 2, 1981]

§ 10.22 Specific exemptions.

(a) The following systems of records (which, before October 1, 1979 were maintained by the Canal Zone Government and the Panama Canal Company, and which are now maintained by the Panama Canal Commission) shall be exempt, pursuant to 5 U.S.C. 552a(k), from subsections (c)(3); (d); (e)(1); (e)(4) (G), (H), and (I); and (f) of 5 U.S.C. 552a and from the procedures for access and amendment set forth in §§ 10.5 through 10.10 and 10.12 through 10.15 of this part:

(1) Systems containing material which has been properly classified in accordance with Part 60 of this title, because its disclosure could reasonably be expected to cause damage to the national security:

(i) PCC/GSIS–1, Personnel Security Files.

(2) Systems containing investigatory material compiled for law enforcement purposes (other than criminal law enforcement investigatory material within the scope of § 10.21 of this part), because disclosure could be expected to impede the investigatory process, reveal the identities of confidential sources, or prevent the detection of unlawful actions:

(i) PCC/AEPR–1, Probation and Parole Unit Child Custody Reports;

(ii) PCC/AEPR–2, Presentence and Pre-Parole Investigation Reports;

(iii) PCC/AEPR–3, Probation and Parole Unit Statistical File;

(iv) PCC/AMSE–2, Cardex File—Contraband Violations;

(v) PCC–CZG/BRAE–1, Canal Zone Board of Registration for Architects and Professional Engineers Reference Files;

(vi) PCC/CZG/CALS–7, Driver's License Investigatory File;

(vii) PCC/CZG/CAPS–2, Case Investigations;

(viii) PCC/EO–2, Equal Employment Opportunity Complaint File;

(ix) PCC/FMAC–1, Embezzlements, Burglaries, and Cash Shortages;

(x) PCC/FMAK–1, Claims Files;

(xi) PCC/FMGA–1, Cash Audit Files;

(xii) PCC/GSCS–2, Housing Complaints File;

(xiii) PCC/GSCP–2, Canal Protection Division Activity Report Files;

(xiv) PCC/GSIS–1, Personnel Security Files;

(xv) PCC/GSPL–1, Law Enforcement Case Report Files;

(xvi) PCC/GSPL–2, Police Headquarters Confidential File;

(xvii) PCC/GSPL–3, Detective Confidential Files;

(xviii) PCC/GSPL–4, Convict Files;

(xix) PCC/GSPL–5, Prisoner Record Cards;

(xx) PCC/GSPL–6, Police Photo Files;

(xxi) PCC/GSPL–7, Fingerprint File;

(xxii) PCC/GSPL–8, Pending Detective Investigation Records;

(xxiii) PCC/GSPL–9, Informant Name File;

(xxiv) PCC/GSPL–10, Master Name File;

(xxv) PCC/GSPL–12, Youth Unit Name Index File;

(xxvi) PCC/CZG/HL–2, Medical Administration System;

(xxvii) PCC/PB–3, Personnel Investigation Records;

(xxviii) Ombudsman Investigation Files, PCC/OM–1.

(xxix) Administrative Reports, PCC/GSCX-1.

(3) [Reserved]

(4) Systems used only for statistical research or reporting purposes and not used in making any determinations about identifiable individuals:

(i) PCC/PR–11, Minority Group Designator Records;

(5) Systems consisting of investigatory material compiled to determine suitability, eligibility, or qualifications for employment, security clearance, or participation in Federal contracts, to the extent that disclosure would reveal the identity of confidential sources:

(i) PCC/FMAC–1, Embezzlements, Burglaries, and Cash Shortages;

(ii) PCC/GSIS–1, Personnel Security Files;

(iii) PCC/PB–1, Merit System Recruiting, Examining, and Placement Records;

(iv) PCC/PB–2, Appeals, Grievances, Complaints, and Assistance Records;

(v) PCC/PB–3, Personnel Investigation Records;

(vi) PCC/PR–5, Recruiting and Placement Records;

(6) Systems containing testing or examination material used to determine individual qualifications for appointment or promotion, the disclosure of which would compromise the objectivity or fairness of the testing or examination process:

(i) PCC–CZG/BRAE–1, Canal Zone Board of Registration for Architects and Professional Engineers Reference Files;

(ii) PCC/MRBL–1, Marine License Files;

(iii) PCC/MRPA–1, Admeasurer Examination File;

(iv) PCC/PB–1, Merit System Recruiting, Examining, and Placement Records;

(b) Information in any other system of records which meets one or more of the criteria for exemption specified in paragraph (a) of this section, or in subsection (k) of 5 U.S.C. 552a, shall be deemed to be part of a system of records which is exempt from disclosure pursuant thereto.

(c) Information (other than criminal law enforcement investigatory material within the scope of § 10.21 of this part) contained in a system of records listed under paragraph (a)(2) of this section which is used to deny an individual any right, privilege, or benefit to which he would otherwise be entitled by law, or for which he would otherwise be eligible, shall be made available to such individual pursuant to §§ 10.5 through 10.10 and 10.12 through 10.15 of this part, except to the extent that such disclosure would reveal the identity of a source who furnished information under an express promise that the identity of the source would be held in confidence (or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence).

[44 FR 75312, Dec. 19,1979 as amended at 46 FR 46859, Oct. 2,1981; 47 FR 9207, Mar.4, 1982; 48 FR 14795, Apr. 5, 1983]

Appendix A—General Routine Uses

Information about an individual which is maintained in any system of records under the control of the Panama Canal Commission is subject to disclosure, as a routine use of such information, to any of the following persons or agencies under the circumstances described:

1. Information indicating a violation or potential violation of law (whether civil, criminal, or regulatory in nature, and whether involving a statute or regulation or a rule or order issued pursuant thereto) may be referred to the federal, state, local, foreign, or international agency charged with investigating or prosecuting such violations or charged with implementing or enforcing the particular statute, or regulations, rule, or order, which is pertinent thereto.

2. Information which has a bearing on matters which may be in dispute may be disclosed in the course of presenting evidence or argument to a court or administrative tribunal, a judicial official, or counsel for a party in connection with litigation or administrative proceedings in which the agency, or its officers or employees, are or may become involved.

3. Information may be provided to persons or agencies from whom information is solicited, to the extent necessary to elicit facts which may be relevant to a financial audit or an agency decision to hire or retain an employee, issue a security clearance, award a contract, grant a license, or otherwise provide a benefit or incur an obligation.

4. Information may be disclosed to a federal agency, in response to its request in a particular case or in a category of cases, in connection with that agency's (a) decision in a personnel matter; (b) financial audits and accounting; (c) issuance of a security clearance; (d) investigation of an individual employed or formerly employed by the

Panama Canal Commission (or its predecessors); or (e) decision to award a contract, grant a license, or otherwise provide a benefit or incur an obligation.

5. Information may be supplied in response to an inquiry from a Member of Congress on behalf of an individual or, at any stage of the legislative coordination and clearance process, to the Office of Management and Budget in connection with the review of private relief legislation.

6. Information which has a bearing on the qualifications of professional personnel (such as architects, attorneys, engineers, medical practitioners, pilots, and teachers) who have been employed by the agency or have had professional dealings with the agency may be provided to the appropriate authorities such as professional licensing and certifying boards and grievance committees.

7. To the extent necessary for implementation of the Panama Canal Treaty of 1977 and related agreements, information may, upon approval by the Agency Records Officer (Chief, Administrative Services Division) or that official's designee, be disclosed to officials of the Government of the Republic of Panama and to U.S. Government agencies which, under the Treaty, assumed functions formerly performed by the Panama Canal Company or the Canal Zone Government.

PEACE CORPS

Notice of Systems of Records Preliminary Statement

The term "Agency" when used in this notice refers to the Peace Corps.

Operating Units—The names of the operating units within the Agency to which a particular system of records pertains are listed under the system manager and address section of each system notice.

Official Personnel Files—Official personnel files of Federal employees in the General Schedule in the custody of the Agency are considered the property of the Office of Personnel Management (OPM). Access to such files shall be in accordance with such notices as are published by OPM. Access to such files in the custody of the Agency will be granted to individuals to whom such files pertain upon request to the Director, Office of Personnel Management, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Files of employees serving under Peace Corps appointing authorities, i.e., Foreign Service and Expert/consultant, which are not specifically covered by the OPM publication, are inter-filed with all other personnel files and treated in the same manner. The OPM publication of notice for official personnel files is therefore adopted by reference for Peace Corps personnel files in the custody of the Agency provided however that access, contests and appeals as to any such record shall be processed as provided in Peace Corps regulations under the Privacy Act.

Various offices in the Agency maintain files which contain miscellaneous copies of personnel material affecting Peace Corps employees. This would include copies of standard personnel forms, evaluation forms, etc. These files are kept only for immediate office reference use and are considered by the Agency to be part of the personnel file system. The Agency's internal regulations provide that such information is a part of the general personnel files and can only be disclosed through the Director, Peace Corps Office of Personnel Management in order that he or she may insure that any material to be disclosed is relevant, materials, current, and fair to the individual employee. It is also the policy of the Agency to limit the use of such files and to encourage the destruction of as many as possible.

Statement of General Routine Uses—The following general routine uses are incorporated by this reference into each system of records set forth herein, unless such incorporation is specifically limited in the system description.

1. In the event that a record in a system of records maintained by the Agency indicates any violation or potential violation of the law whether civil, criminal, or regulatory in nature, and whether arising by statute, or by regulation, rule or order issued pursuant thereto, the relevant record in this system of records may be referred as a routine use, to the appropriate agency, whether Federal, state, local, or foreign charged with the responsibility of investigating or prosecuting such violation, or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto; such referral shall also include and be deemed to authorize any and all appropriate and necessary uses of such records in a court of law or before an administrative board or hearing.

2. A record may be disclosed as a routine use to designated officers and employees of other agencies and departments of the Federal government having an interest in the individual for employment purposes including the hiring or retention of any employee, the issuance of a security clearance, the letting of a contract or the issuance of license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter involved, provided however, that other than information furnished for the issuance of authorized security clearances, information divulged hereunder as to full-time volunteers under the Peace Corps Act (22 U.S.C. 2501) shall be limited to the provision of dates of service and a standard description of service as heretofore provided by the Agency.

3. A record may be disclosed as a routine use in the course of presenting evidence to a court, magistrate or administrative tribunal of appropriate jurisdiction and such disclosed shall include disclosures to opposing counsel in the course of settlement negotiations.

4. Information from certain systems of records especially those relating to applicants for Federal employment or volunteer service may be disclosed as a routine use to designated officers and employees of other agencies of the Federal government for the purpose of obtaining information as to suitability, qualifications and loyalty to the United States Government.

5. Information from records systems may be disclosed to any source from which information is requested in the course of an investigation to the extent necessary to identify the individual, inform the source of the nature and purpose of the investigation, and to identify the type of information requested.

6. Information in any system may be used as a data source, for management information, for the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies. Information may also be disclosed to respond to general requests for statistical information (without personel identification of individuals) under the Freedom of Information Act or the Privacy Act.

7. Information in any system of records may be disclosed to a Congressional office, in response to an inquiry from any such office, made at the request of the individual to whom the record pertains.

8. A record from any systems of records may be disclosed as a routine use to the National Archives and Records Administration in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

9. Information from records system may be disclosed to the U.S. Ambassador or his or her designee in host countries where the Peace Corps serves. Such release will be made only upon the written certification by the Ambassador or designee that the information is needed to perform an official responsibility. The purpose of this routine use is to apprise the Ambassador of information that host officials have, but which cannot be released to the Ambassador, regarding Peace Corps employees, contractors, trainees and Volunteers. On a case to case basis, such release is made to allow Ambassador to knowledgeably respond to official inquiries and deal with in-country situations which are within the scope of the Ambassador's responsibility.

Location of Domestic and Overseas Offices—The Agency maintains three Service Centers and Area Recruiting Offices in which certain systems or parts of systems are maintained. The Service Centers, their addresses, and the States within their jurisdictions are listed below. In the event of any doubt as to whether a record is maintained in a Service Center or Area Recuiting Office, a query may be directed to the Director, Office of Administrative Services, Peace Corps, Washington, D.C. 20526, who shall furnish all assistance necessary to locate a specific record.

New York Service Center, Peace Corps, 26 Federal Plaza, Room 1605, New York, New York 10278 (States serviced: Massacusetts, Vermont, New Hampshire, Rhode Island, Delaware, New Jersey, Georgia, Tennessee, Mississippi, Alabama, South Carolina, Florida, District of Columbia, Maryland, North Carolina, Kentucky, West Virginia and Virginia).

Chicago Service Center, Peace Corps, 3rd Floor, 10 W. Jackson, Chicago, Illinois 60604 (States serviced: New Mexico, Oklahoma, Louisiana, Texas, Arkansas, Illiniois, Indiana, Minnesota, Wisconsin, Kansas, Missouri, Iowa, Nebraska, Michigan and Ohio).

San Fransciso Service Center, Peace Corps, Room 533, 211 Main Street, San Francisco, California 94105 (States serviced: California, Nevada, Hawaii, Colorado, Montana, South Dakota, North Dakota, Utah, Wyoming, Washington, Oregon, Idaho, Alaska and Arizona).

The Peace Corps has offices overseas and the number fluctuates from time to time as programs are added or withdrawn. A complete list with specific addresses will be provided upon request to the Director, Office of Administrative Services, Peace Corp, 806 Connecticut Avenue, NW, Washington, D.C. 20526. Any particular country in which Peace Corps maintains a program may be addressed by writing to the Country Director, c/o the American Embassy in such country.

Notification—Individuals may inquire as to whether any system contains information pertaining to them by addressing the System Manager in writing. Such request should include the name and address of the individual, his or her social security number, and any relevant data concerning the information sought and, where possible, the place of assignment or employment, etc. In case of any doubt as to which system contains a record, interested individuals may contact the Director, Office of Administrative Services, Peace Corps, Washington, D.C. 20526, who has overall supervision of records systems and who will provide assistance in locating and/or identifying appropriate systems.

Access and Contest—In response to a written request by an individual, the appropriate System Manager shall arrange for access to the requested record or advise the requester if no such record exists. If an individual wishes to contest the content of any record, he/she may do so by addressing a written request to Director, Administrative Services, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526. The Director shall provide all necessary information regarding such contest and appeal.

Alphabetical Listing of Systems of Records:

Accounts Receivable (Collection of Debts Claims Records)—PC-1

Congressional Files—PC-2
Contractors and Consultants Files—PC-3
Discrimination Complaint Files—PC-4
Employee Occupational Injury and Illness Reports—PC-5
Employee Pay and Leave Records—PC-6
Former Volunteer/Staff Resource Record—PC-18.
Information Gathering System—PC-7
Legal Files—Staff, Volunteers, and Applicants—PC-8
Payment Records; Travel Authorization Files; and Household Storage Files—PC-9
Peace Corps Partnership Donor Records—PC-10
Personal Service Contracts Records—PC-11
Property Records—PC-12
Security Records—Peace Corps Staff/Volunteers and ACTION Staff—PC-13
Staff Applicant and Personnel Records—PC-14
Talent Bank—PC-15
Travel Files—PC-16
Volunteer Applicant and Service Records System—PC-17

PC-1

System name:

Accounts Receivable (Collection of Debts Claims Records).

Security classification:

None.

System location:

Fiscal Services Branch, Office of Financial Management, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Categories of individuals covered by the system:

Any former or current Peace Corps employee, trainee/volunteer or vendor allegedly erroneously overpaid by Peace Corps.

Categories of records in the system:

This system contains the following records: 1. Register of debts claimed. This record consists of names and addresses of individuals who are indebted to Peace Corps including the date of the debt, a claim number, the amount of the debt, and the date the debt is paid if that has occurred. 2. Claim Record Card. This record consists of the same information in shorter form as that contained in the Register. 3. File Folders. This record consists of the initial billing, follow up letters for collection of debt and related correspondence together with a copy of the check or checks paying the debt if that has occurred.

Authority for maintenance of the system:

The Peace Corps Act, 22 U.S.C. 2501 et seq. The Budget and Accounting Act of 1950. Federal statutes requiring and permitting the administrative settlement of claims by agencies.

Purpose(s):

These records were established to contain information and a record of final solutions resulting from alleged erroneous payments by the Peace Corps.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records in this system may be disclosed in the following circumstances: To the General Accounting Office (GAO) or the Department of Justice in cases of administrative error involving overpayment and situations in which the agency has been unable to collect such debt. Disclosure may also be made to the General Accounting Office if the agency requests a waiver of repayment for error caused by overpayment of salary in excess to 500 dollars. Also, routine uses as stated in the above Preliminary Statement, and disclosure to consumer reporting agencies authorized by 5 U.S.C. 552a (b)(12).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in folders in metal file cabinets with manipulation proof combination lock.

Retrievability:

Records are indexed in alphabetical order.

Safeguards:

These records are available only to officials of Peace Corps having a need for such records in the performance of their official duties and for the routine uses listed above.

Retention and disposal:

These records are maintained until the settlement of a claim and then retired to the Federal Records Center to be destroyed in accord with General Records Schedule 6.1.2.

System manager(s) and address:

Chief, Fiscal Services Branch, Accounting Division, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Notification procedure:

See the Notification paragraph in the Preliminary Statement above in this notice.

Record access procedures:

See the Access and Contest paragraph in the Preliminary Statement above in this notice.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

Information is obtained from Peace Corps employees having knowledge of the facts.

PC-2

System name:

Congressional Files.

Security classification:

None.

System location:

Office of Congressional Relations, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Categories of individuals covered by the system:

Members of Congress.

Categories of records in the system:

The records in this system consist of bio-data, voting records, Peace Corps concerns of members of Congress affecting Peace Corps and copies of incoming and outgoing correspondence between Peace Corps personnel and members of Congress.

Authority for maintenance of the system:

Peace Corps Act, 22 U.S.C. 2501 et seq.

Purpose(s):

This system was established to keep Peace Corps officials informed as to concerns of members of Congress that affect the Peace Corps.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records in this system are not subject to routine use outside the Agency except for routine uses number 3, 6, and 8 in the preceding Preliminary Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records in this system are maintained in file folders in metal filing cabinets locked at the close of the business day.

Retrievability:

Records in this system concerning members of committees concerned with Peace Corps legislation are filed by Congressional committee and within each committee alphabetically. Congressional correspondence is filed alphabetically by last name of the member.

Safeguards:

Records in this system are generally available only to Peace Corps personnel having a need for such information in the performance of their official duties.

Retention and disposal:

Inactive records are held two years; retired to the Federal Records Center for ten years; then offered to the National Archives. Records are inactivated upon death, non-reelection or retirement.

System manager(s) and address:

Director, Office of Congressional Relations, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Notification procedure:

See the Notification paragraph in the Preliminary Statement above in this notice.

Record access procedures:

See the Access and Contest paragraph in the Preliminary Statement above in this notice.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

Information in system of record is obtained from the following category of sources: 1. The Congressional Directory, Congressional

Records, Congressional Quarterly, Periodicals and standard reference materials. 2. Members of Congress and their staffs. 3. Peace Corps employees. 4. Newspaper and magazine publications.

PC-3

System name:

Contractors and Consultants Files.

Security classification:

None.

System location:

Africa, Inter-America and NANEAP Operations, and Office of Training and Program Support, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Categories of individuals covered by the system:

Individuals who are serving, have served or could serve as Contractors/Training Consultants for Peace Corps programs overseas.

Categories of records in the system:

These files contain correspondence, resumes, and other materials pertaining to prospective and current personal services contractors, training consultants, etc.

Authority for maintenance of the system:

The Peace Corps Act, 22 U.S.C. 2501 et seq.

Purpose(s):

This system was established to provide a source of information to the International Operations Contract/Training Specialists and the Administrative Liaison, OTAPS, regarding regional program needs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Subject to general routine uses listed in the above Preliminary Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Files are maintained in folders in metal file cabinets with three-way combination locks.

Retrievability:

Records are indexed in alphabetical order. Alternatively records may be indexed by skills categories but alphabetically within such skills categories.

Safeguards:

Records are available only to Peace Corps staff who have a need for such records in the performance of their duties.

Retention and disposal:

These records are reviewed annually and those which are no longer necessary for current operations are destroyed.

System manager(s) and address:

Contract/Training Specialist, Africa, Inter-America or NANEAP Operations, and Administrative Liaison, Office of Training and Program Support, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Notification procedure:

See the Notification paragraph in the Preliminary Statement above in this notice.

Record access procedures:

See the Access and Contest paragraph in the Preliminary Statement above in this notice.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

The individual contractor or consultant to whom the record pertains, supervisors and other Peace Corps personnel.

Systems exempted from certain provisions of the act:

These records or portions of these records may be exempted by authority of 5 U.S.C. 552a(k)(5).

PC-4

System name:

Discrimination Complaint Files.

Security classification:

None.

System location:

Office of Compliance, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Categories of individuals covered by the system:

Any employee, applicant for employment, Peace Corps Volunteer, trainee, or applicant for volunteer service who has filed a complaint of discrimination against Peace Corps.

Categories of records in the system:

The complaint, correspondence related to the complaint, copies of personnel records, investigatory materials and affidavits, and information as to how the complaint was resolved.

Authority for maintenance of the system:

Executive Order 11478, 29 CFR Part 1613, 22 U.S.C. 2504(a), and 42 U.S.C. 5057(c).

Purpose(s):

This system was established to record actions taken on complaints of discrimination against Peace Corps.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Contents of these records may be disclosed and used as follows: a. To the Equal Employment Opportunity Commission or the Merit Systems Protection Board and its Special Counsel for hearings and/or administrative appeals on a complaint of discrimination. b. To the Department of Justice in connection with any suits brought against the agency for alleged discrimination. c. To the Equal Employment Opportunity Commission for advice and counsel within its jurisdiction. d. Other routine uses as stated in the above Preliminary Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in folders in metal file cabinets with manipulation proof combination locks when not in immediate use.

Retrievability:

Records are indexed alphabetically.

Safeguards:

Records in the system are available only to appropriate personnel in the Office of Compliance and other designated officials of Peace Corps with a need of such records in the performance of their duties.

Retention and disposal:

Records are destroyed four years after the close of the case.

System manager(s) and address:

Director, Office of Compliance, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Notification procedure:

See the Notification paragraph in the Preliminary Statement above in this notice.

Record access procedures:

See the Access and Contest paragraph in the Preliminary Statement above in this notice.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

Data in this system is obtained from the following categories of sources: 1. Employees, Volunteers or applicants of Peace Corps involved as complainants, witnesses, etc. in discrimination complaints. 2. Reports of investigations and other materials prepared by Equal Employment Opportunity Officers, counsellors and investigators. 3. Copies of Agency documents relevant to any EO investigation. 4. Records of hearings on complaints. 5. Records of decision on complaints or settlements thereof.

Systems exempted from certain provisions of the act:

These records or portions of these records may be exempted by authority of 5 U.S.C. 552a (k)(2) and (k)(5).

PC-5

System name:

Employee Occupational Injury and Illness Reports.

Security classification:

None.

System location:

Maintained at Peace Corps Headquarters, the Service Centers and Peace Corps countries.

Categories of individuals covered by the system:

Peace Corps employees who have had job-related injuries or illness.

Categories of records in the system:

Reports of occupational injuries and illness and medical reports with respect thereto.

Authority for maintenance of the system:

The Occupational Safety and Health Act of 1970, Executive Order 12196.

Purpose(s):

These records were established to record information and resulting actions pertaining to employee occupational injuries and illness.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Occupational injury and illness reports are maintained in order to provide data, including statistical data required by the Occupational Safety and Health Administration, Department of Labor. Other routine uses as stated in the above preliminary statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in folders in metal file cabinets with manipulation proof combination lock.

Retrievability:

Records are indexed in alphabetical order.

Safeguards:

Records are available only to Peace Corps employees having a need for such records in the performance of their official duties.

Retention and disposal:

Records in this system are retained indefinitely pending issuance of final retention schedule by the National Archives and Records Administration.

System manager(s) and address:

Chief, Health and Benefits and Analysis Branch, Office of Medical Services, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Notification procedure:

See the Notification paragraph in the Preliminary Statement in this notice.

Record access procedures:

See the Access and Contest paragraph in the Preliminary Statement above in this notice.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

Information contained in the system is obtained from the following categories of sources: Employees who have suffered a work-related illness or injury and Peace Corps supervisory personnel.

Systems exempted from certain provisions of the act:

These records or portions of these records may be exempted by authority of 5 U.S.C. 552a (k)(2).

PC-6

System name:

Employee Pay and Leave Records.

Security classification:

None.

System location:

Office of Financial Management, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Categories of individuals covered by the system:

Current and former employees of Peace Corps.

Categories of records in the system:

Personnel actions employing, promoting and terminating employees, savings bond applications, advices of allotments, IRS tax levels, notice of deduction for health insurance, Combined Federal Campaign, union dues withholdings applications, and educational allowances for children of overseas employees and records regarding collections for overpayments and time and attendance records.

Authority for maintenance of the system:

GAO Policy and Procedures Manual; 31 U.S.C. 3512; and the Budget and Accounting Procedures Act of 1950.

Purpose(s):

This system was established to record moneys paid, allotments authorized, leave earned and used, and retirement benefits earned.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information from these records are routinely provided as follows:

1. To the Treasury for payroll and savings bonds and other deduction purposes.
2. To Internal Revenue Service with regard to tax matters.
3. To participating insurance companies holding policies with respect to Federal employees employed by Peace Corps.
4. To Federal Agency to perform payrolling services for the Peace Corps. The Department of Commerce is currently performing this function.

Also, other general routine uses listed above in the Preliminary Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in folders and looseleaf binders in metal file cabinets with manipulation proof combination locks. The individual Time and Attendance records maintained by designated timekeepers throughout the agency are stored in a metal file cabinet with a key lock or manipulation proof combination lock.

Retrievability:

Records are indexed in alphabetical order.

Safeguards:

Records in this system are available only to employees of Peace Corps with a need for such records in the performance of their official duties.

Retention and disposal:

Records in this system are maintained for three years after the end of the fiscal year in which an employee terminates employment with Peace Corps and then retired to the Records Center in accordance with GAO instructions and General Records Schedule 2. The Time and Attendance sign in/sign out sheets are maintained for six years in the Agency Records Center and then destroyed.

System manager(s) and address:

Designated timekeepers throughout the agency and Chief, Volunteer and Staff Payroll Services Branch, Accounting Division, 806 Connecticut Avenue, NW, Washington, DC 20526.

Notification procedure:

See the Notification paragraph in the Preliminary Statement above in this notice.

Record access procedures:

See the Access and Contest paragraph in the Preliminary Statement above in this notice.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

Peace Corps employees and the individual to whom the record pertains.

PC-7

System name:

Information Gathering System.

Security classification:

None.

System location:

Office of Administrative Services, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Categories of individuals covered by the system:

(1) Persons serving in, having served in, or who are served by programs initiated by Peace Corps, (2) persons working with Peace Corps programs on a volunteer basis and (3) the general public (nationwide for media impact studies, postservice studies, etc).

Categories of records in the system:

The system contains information necessary to provide statistical and analytical data in connection with agency activities including volunteer projects. The agency anticipates studies in such areas as: Recruitment, impact of advertising campaigns or media on a given area; public awareness of Peace Corps programs; program effect in particular demographic areas; impact of volunteer service on individuals after service. Individuals will be asked to complete a form and will be informed of the particulars of a study, i.e., the specific purpose of the study, who is conducting the study, the use of the information they submit; who has access to information; provisions of the Privacy Act; the authority for collection of the data; the effect of nondisclosure, and the particular study title.

Information requested may include names and addresses, relationships to a particular agency activity, age, race, education, ethnic background, employment history, family size and age groups, marital status, volunteer program interest area, effect of advertising on the individual. Although it is impossible to foresee all information which will be gathered for study, the agency anticipates that such data may be collected. Subsystems of records may be set up for relatively short periods of time during the information gathering stage. The overall responsibility for these subsystems comes under the Office of Administrative Services. Records will be retained only as long as needed for the study but statistical data may be retained after personal identifiers have been removed.

Authority for maintenance of the system:

The Peace Corps Act, 22 U.S.C. 2501, et seq.

Purpose(s):

This system was established to provide the Peace Corps with statistical and analytical data in connection with agency activities.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Data maintained in this system will be used to enable the agency to carry out its authorized functions in connection with program and project evaluation as stated in routine use number 6 in the preliminary statement above in this notice. Initially, the information will be furnished by the individual to the Peace Corps staff personnel or personnel performing the study on behalf of Peace Corps. Such records will be retained only as long as required to complete the work.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records may be maintained in various fashions. Material placed on computers shall be stored in disc packs with tape backup. All records will, in any event, be maintained and filed in rooms or cabinets with manipulation proof combination locks when not in immediate use.

Retrievability:

Records are retrievable through name or identifying number.

Safeguards:

Records in this system will be available only to appropriate personnel, including staff or other individuals working on Peace Corps' behalf, having a need for such records in the performance of their duties.

Retention and disposal:

Records in this system will be maintained only so long as necessary to carry out the management survey or other function for which they were collected and then will either be destroyed or the information may be stored after removal of all personal identifiers.

System manager(s) and address:

Director, Office of Administrative Service, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Notification procedure:

See the Notification paragraph in the Preliminary Statement above in this notice.

Record access procedures:

See the Access and Contest paragraph in the Preliminary Statement above in this notice.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

Information will be obtained from the individual or persons dealing with Peace Corps programs.

PC-8

System name:

Legal Files—Staff, Volunteers and Applicants.

Security classification:

None.

System location:

Office of the General Counsel, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526

Categories of individuals covered by the system:

1. Applicants for employment with Peace Corps. 2. Staff employees of Peace Corps. 3. Peace Corps Volunteers, trainees and applicants for volunteer service.

Categories of records in the system:

Records of any legal matter affecting any present or former staff member or Peace Corps Volunteers or any applicant for employment or volunteer service in Peace Corps whose employment or service has raised any legal question. Included among the kinds of records maintained are those involving employee grievances, appeals from adverse actions, claims by and against staff members, records concerning litigation in which Peace Corps staff members or Volunteers become involved as parties, legal queries from staff members regarding themselves or their employment and answers thereto and any other matter involving a contact between a staff member or Volunteer and an attorney of the Office of General Counsel.

Authority for maintenance of the system:

The Peace Corps Act, 22 U.S.C. 2501 et seq.

Purpose(s):

These records are maintained under the general authority of the Office of General Counsel to represent the Agency in connection with its dealings with its employees and volunteers and the general functions of the Office of General Counsel to provide advice and counsel to the Director of the Agency and his or her staff.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records are not routinely disclosed outside the Agency except in the following circumstances: 1. To the Department of Justice in conjunction with litigation or potential litigation in situations in which the Department may be called upon to provide representation to the Agency. 2. In circumstances set forth in paragraph 1, 3, 5, 7, and 8 of the general rountine uses set forth in the Preliminary Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Files are kept in separate file folders in cabinets secured by changeable combination locks or bar locks secured by such combination locks.

Retrievability:

Files are available only to personnel of the Office of General Counsel which includes attorneys and confidential secretaries.

Retention and disposal:

Files are maintained for the duration of the litigation or other matter to which they refer and retired on an annual review basis to the Federal Records Center for 27 years at which time they are destroyed.

System manager(s) and address:

General Counsel, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Notification procedure:

See the Notification paragraph in the Preliminary Statement above in this notice.

Record access procedures:

See the Access and Contest paragraph in the Preliminary Statement above in this notice.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

Data is obtained from the following categories of sources: 1. Peace Corps applicants for employment, employees, volunteers and trainees and applicants for volunteer service. 2. Correspondence and reports from persons and agencies dealing with the agency and its employees. 3. Work product and research of lawyers of the office.

Systems exempted from certain provisions of the act:

These records or portions of these records may be exempted by authority of 5 U.S.C. 552a (k)(1), (k)(2), and (k)(5).

PC-9

System name:

Payment Records; Travel Authorization Files; and Household Storage Files.

Security classification:

None.

System location:

Office of Financial Management, Fiscal Services Branch, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Categories of individuals covered by the system:

Any current or former Peace Corps employee, Volunteer or vender, or person invited to travel for Peace Corps.

Categories of records in the system:

(1) The Voucher Payment Record is a single index card form containing the following data: Invoice number or date, amount paid, voucher and schedule number, contract or purchase order number and type of payment (advance, partial or final). (2) The Schedule of Payments Records consist of the invoice received, document authorizing the action to be taken such as the travel authorization or purchase order and the voucher making the payment as well as the SF-1166 (Voucher and Schedule of Payments) and SF-1081 (Voucher and Schedule of Withdrawals and Credits—used in government only), and to which other documents are attached. (3) The Travel Authorization records consists of copies of obligated travel authorizations, travel vouchers, receipts, records of payments and other materials related to official travel. (4) The staff and Volunteer Household Storage records consists of Travel Authorization, a copy of the invoice for payment and record of partial payment form.

Authority for maintenance of the system:

The Peace Corps Act, 22 U.S.C. 2501 et seq; The Budget and Accounting Act of 1921; Accounting and Auditing Act of 1950; and the Federal Claim Collection Act of 1966.

Purpose(s):

The purpose of this system is to record payments made as a result of purchase orders, travel authorizations, or other authorization documents.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The contents of these records may be disclosed and used as follows: a. To appropriate officials in the Department of Treasury, b. To the household storage vendor in the event there is a discrepancy between the vendor and Peace Corps records, c. Subject to routine uses listed in the above Preliminary Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in filing cabinets with bar locks, key locks or manipulation proof combination locks when not in immediate use.

Retrievability:

Records are filed alphabetically by last name or numerically by schedule number.

Safeguards:

Records are available only to appropriate Fiscal Services Branch personnel and other appropriate officials of Peace Corps with the need for such records in the performance of their duties.

Retention and disposal:

Records are held for three years and retired to the Federal Records Center in accordance with General Accounting Office instructions and General Records Schedule 6. Staff and Volunteer household storage records are retained for two years after termination or retirement and retired to the Federal Records Center.

System manager(s) and address:

Chief, Fiscal Services Branch, Accounting Division, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Notification procedure:

See the Notification paragraph in the Preliminary Statement above in this notice.

Record access procedures:

See the Access and Contest paragraph in the Preliminary Statement above in this notice.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

Data is obtained from documents provided by the individual or the vendor.

PC-10

System name:

Peace Corps Partnership Donor Records.

Security classification:

None.

System location:

Peace Corps, Office of Private Sector Development, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Categories of individuals covered by the system:

Individuals requesting information on how to join and/or information on current projects seeking support in the Peace Corps Partnership Program.

Categories of records in the system:

Currently in hard copy form but will be computerized. Consists of name, organization (if appropriate), current home/business address and telephone number, amount of contribution, name of project supporting and source that prompted interest in the program.

Authority for maintenance of the system:

The Peace Corps Act, 22 U.S.C. 2501 et. seq.

Purpose(s):

This system is being established to provide a continuing source of donors to the Peace Corps Partnership Program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records will be used by the Peace Corps to inform individuals who have expressed an interest in the Partnership Program, how to join and about new projects on a regular basis. Information in this system is also subject to routine uses 3, 6, 7, and 8 as listed above in the Preliminary Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are currently maintained in hard copy form which are kept in locked files when not in immediate use in a building with a 24 hour guard. When the system is placed on the computer the hard copy will be destroyed. The computer record shall be stored on diskettes or disc packs with tape backup in secured rooms with access limited to those employees whose official duties require access.

Retrievability:

Records are indexed by categories such as name, city, state, organization and special interest.

Safeguards:

Records in the system will be available only to the Peace Corps, Office of Private Sector Development staff on a need to know basis.

Retention and disposal:

Unless removal or extension is requested by the individual the record is maintained for ten years after voluntary entry in the file.

System manager(s) and address:

Director, Private Sector Development, Peace Corps, Room 1204, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Notification procedure:

See the Notification paragraph in the above Preliminary Statement.

Record access procedures:

See the Access and Contest paragraph in the above Preliminary Statement.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

Information is supplied by individuals who have requested more information about the Partnership Program.

PC-11

System name:

Personal Service Contracts Records.

Security classification:

None.

System location:

Contracts Division, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Categories of individuals covered by the system:

Those persons contracted by the Headquarters Procurement Branch to serve as personal services contractors for the Peace Corps.

Categories of records in the system:

The records maintained contain the history of employment, including earning records of individuals hired as personal services contractors.

Authority for maintenance of the system:

The Peace Corps Act, 22 U.S.C. 2501 et seq.

Purpose(s):

This system was established to keep a record of information used to determine personal service contractor eligibility for employment and pay determinations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Subject to routine uses listed in the above Preliminary Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Files are maintained in folders in metal file cabinets with manipulation proof combination locks and in a locked room when not in immediate use.

Retrievability:

Records are arranged by contract number.

Safeguards:

Records in the system are available only to appropriate personnel in the Contracts Division and other appropriate officials of Peace Corps with the need for such records for the performance of their duties.

Retention and disposal:

Records in the system are maintained in the Contracts Division for one year after the closing date of the contract then disposed of in accordance with General Records Schedule 3.4.

System manager(s) and address:

Director, Contracts Division, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Notification procedure:

See the Notification paragraph in the Preliminary Statement above in this notice.

Record access procedures:

See the Access and Contest paragraph in the Preliminary Statement above in this notice.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

Information contained in the system is obtained from the following categories of sources: Individual contractors, Peace Corps Overseas Staff, and Peace Corps Washington Staff.

Systems exempted from certain provisions of the act:

These records or portions of these records may exempted by 5 U.S.C. 552a (k)(5).

PC-12

System name:

Property Records.

Security classification:

None.

System location:

These records are maintained in the office of each Peace Corps program overseas. The number of offices fluctuates from time to time as programs are added or withdrawn. A complete list with specific addresses will be provided upon request to the Director, Administrative Services, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526. Any particular country in which Peace Corps maintains a program may be addressed by writing to the Country Director, c/o the American Embassy in such country.

Categories of individuals covered by the system:

Current and former Peace Corps staff, Volunteers, and trainees who have trained overseas.

Categories of records in the system:

This system consists of records of U.S. Government property assigned to Peace Corps staff, Volunteers or trainees for which they are accountable and which must be returned to the Peace Corps.

Authority for maintenance of the system:

The Peace Corps Act, 22 U.S.C. Section 2501, et seq.

Purpose(s):

The system was established to record and account for U.S. Government property assigned to contractors, to Peace Corps overseas staff, Volunteers or trainees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The contents of these records may be disclosed and used as follows: To the Department of State or any other Federal agency having the responsibility for accounting for the disposition of Federal property. Also, subject to general routine uses listed in the above Preliminary Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in metal file cabinets.

Retrievability:

Records are indexed in alphabetical order in each Peace Corps post overseas.

Safeguards:

Records are available only to Peace Corps staff having a need for such records in the performance of their official duties. For these purposes, host country nationals employed by the U.S. Government and working for Peace Corps are considered staff.

Retention and disposal:

Records in this system are retained at overseas posts for two years after an employee or Volunteer leaves the country and then are destroyed burning, shredding or such other method as is approved by the Department of State for the disposal of such records.

System manager(s) and address:

Country Directors in each country in which Peace Corps maintains a program.

Notification procedure:

See the Notification paragraph in the Preliminary Statement above in this notice.

Record access procedures:

See the Access and Contest paragraph in the Preliminary Statement above in this notice.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

Peace Corps overseas staff. The individual to whom the record pertains.

PC-13

System name:

Security Records—Peace Corps Staff/Volunteers and ACTION Staff.

Security classification:

None.

System location:

Peace Corps, Personnel Security Staff Office, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Categories of individuals covered by the system:

Current and former applicants for Peace Corps and ACTION staff employment and volunteer service. Individuals considered for access to classified information or restricted areas and/or personnel security determinations as contractors, experts, instructors, and consultants to Federal programs.

Categories of records in the system:

These records contain investigative information regarding an individual's character, conduct, behavior in the community where he or she lives; arrests and convictions for any violations of the law; reports of interviews with former supervisors, co-workers, associates, educators, etc.; reports about the qualifications of an individual for a specific position; reports of inquiries to law enforcement agencies, former employers, educational institutions attended; and other similar information developed from the above. Index cards are maintained on all appointees and volunteers on whom investigations were conducted. The cards reflect personal identifying information and investigative and clearance histories.

Authority for maintenance of the system:

22 U.S.C. 2519, Executive Order 10450, and Federal Personnel Manual, Chapters 731, 732 and 736. In addition to the provisions cited above, there are various acts of Congress relating to personnel investigations authorizing the same by the Office of Personnel Management, which responsibility can, under Civil Service regulations and law, be delegated in whole or in part to agencies.

Purpose(s):

This system was established to keep on record that information used to determine eligibility or suitability for employment or volunteer service.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The contents of these records and files may be disclosed and used as follows: a. To the Office of Personnel Management as a part of the central OPM personnel investigation records system. b. Subject to the general routine uses listed in the above Preliminary Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Investigative record folders and index cards are maintained in General Services Administration approved metal file cabinets with three way combination locks in a room which is locked when not is use.

Retrievability:

Records are indexed in alphabetical order.

Safeguards:

All officials or employees having access to such records are required to have an appropriate security clearance. Generally these records are available only to personnel of the security office and to the Director of the Peace Corps and his other designees.

Retention and disposal:

Records are maintained in the security office until closed, are held 3 years then retired to Federal Records Center. The Federal Records Center holds 27 years and then destroys.

System manager(s) and address:

Director, Personnel Security Staff Office, Office of the Associate Director for Management, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

Notification procedure:

See the Notification paragraph in the Preliminary Statement above in this notice.

Record access procedures:

See the Access and Contest paragraph in the Preliminary Statement above in this notice. The Peace Corps conducts security investigations for the ACTION agency on a contract basis and resulting records are interfiled with Peace Corps records. All requests from the subjects of the ACTION records are referred to the ACTION General Counsel for a determination as to access and contest.

Contesting record procedures:

Same as "Record Access Procedures".

Record source categories:

Information contained in this system is obtained from the following categories of sources: a. Applications and other personnel/security forms and information furnished by the individual. b. Investigative material furnished by other Federal agencies. c. By personal investigation or written inquiry from such sources as employers, schools, references, neighbors, associates, police departments, courts, credit bureaus, medical records, probation officials, prison officials and other sources as may be developed.

Systems exempted from certain provisions of the act:

These records or portions of these records may be exempted by authority of 5 U.S.C. 552a (k)(1), (k)(2), and (k)(5).

PC-14

System name:

Staff Applicant and Personnel Records.

Security classification:

None.

System location:

Peace Corps, Office of Personnel Management, 806 Connecticut Avenue NW, Washington, D.C. 20526.

Categories of individuals covered by the system:

Current and former employees, applicants, any individual involved in a grievance or grievance appeal or who has filed a complaint with the Equal Employment Opportunity Commission, Merit Systems Protection Board, Federal Labor Relations Authority, Federal Mediation and Conciliation Service, or other organization having jurisdiction over any aspect of employer/employee relations, and individuals considered for access to classified information or restricted areas and/or security determinations as contractors, employees of contractors, experts, instructors, consultants to Federal programs, or members of an Advisory Committee.

Categories of records in the system:

(1) The Grievance, Appeal and Arbitration files contain copies of petitions, complaints, charges, responses, rebuttals, evidentiary materials, briefs, affidavits, statements, records of hearings and decisions or findings of fact with respect thereto and incidental correspondence regarding complaints and appeals with respect to grievances and arbitration matters. (2) The Employees' Indebtedness files contain records which are primarily correspondence regarding alleged indebtedness of Peace Corps employees, including employees' responses, the agency's response to the employee and/or creditor and administrative correspondence and records relating to agency assistance to the employee in resolving the indebtedness, if appropriate. (3) The Performance Evaluation files consist of the annual performance evaluations of employee performance prepared by supervisors and reviewed by supervisory reviewing officials, together with comments, if any, by the employees evaluated. (4) The Management-Union Records system consists of automated data printouts showing an employee's name, grade, series, title, organizational entity and other associated data which determines his or her inclusion or exclusion from the bargaining unit under the existing union contract. The record also contains a printout showing the amount of dues withheld from each employee who has authorized such withholding, and other related data. (5) The Personnel Management Information system is a computer-based record which includes data relating to tenure, benefits eligibility, whether former volunteer, end of tour dates, awards, etc., and other data needed by Personnel and agency managers which used for management purposes. (6) The Inactive Service Record Card contains a record of personnel actions made during employment, forwarding address, reason for leaving, social security number, date of birth, tenure information and disposition of the official personnel folder.

Authority for maintenance of the system:

The Peace Corps Act, 22 U.S.C. 2501 et seq., provisions of Title 5, U.S.C., Title 5, Code of Federal Regulations, the Federal Personnel Manual, the Foreign Affairs Manual, Executive Order 11491 and other Executive Orders concerning management relations with employment organizations and various acts of Congress relating to personnel and security investigations.

Purpose(s):

This system was established to keep on record that information used to determine eligibility or suitability for employment; for payment of salary and other benefits; to effect personnel actions; to resolve complaints or grievances, and to provide essential employment-related information about employees to the Government.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(1) Grievance, Appeal and Arbitration Records and Files—in addition to the general routine uses may be disclosed and used (a) To the Office of Personnel Management; the Merit Systems Protection Board and the Office of Special Counsel, MSPB, on request in conjunction with any appeal or in conjunction with its official duties with regard to personnel matters and investigation regarding complaints of Federal employees and applicants; (b) To designated hearing examiners, arbitrators and third-party appellate authorities involved in hearing or appeal procedures. (2) Employees' Indebtedness Records and files may be released under general routine uses 1 and 2 listed in the preliminary statement in this notice. Under routine use number 1 records may be released only to an appropriate Federal agency and the records may also be referred to a court of law and before an administrative board hearing matters related to probation and parole. (3) Performance Evaluation files—in addition to the general routine uses may be disclosed to the Office of Personnel Management in connection with any request for information or inquiry as to Federal personnel regulations. (4) Management Union Records—in addition to the general routine uses may be disclosed and used for the following: (a) To the Peace Corps employees union for maintenance of its records with respect to dues and inclusion in the bargaining unit, (b) to the Treasury Department of preparation of payroll checks with appropriate withholding of dues, (c) to the OPM for union related reporting in the area of management/labor relations. (5) Personnel Management Information System in addition to the general routine use is used by agency officials for day to day work processing; statistical reports without personal identifiers; and for in-house reports relating to management. Information contained in this record is reflected in the individual's official personnel folder. (6) Inactive Service Record Card File—is used by personnel staff to verify service and for day to day work information. Unless specifically limited, information contained in these files is subject to the general routine uses listed in the above Preliminary Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, magnetic tape, lists or loose-leaf binders and are stored in metal file cabinets with a three-way combination lock and/or secured rooms with access limited to those employees whose official duties require access.

Retrievability:

Records are indexed by name or social security number or employee number.

Safeguards:

Records are available only to Peace Corps employees having a need for such records in the performance of their duties.

Retention and disposal:

The Grievances and Appeals Files are destroyed three years after the case is closed. Adverse Action files are destroyed four years after the case is closed. Employee Indebtedness records are destroyed when six months old. Performance Evaluation records are destroyed one year after employee completes one year of acceptable performance from the date of written advance notice of proposed removal or reduction in grade notice; acceptable performance ratings are destroyed upon supersession. The Personnel Management Information system computer based inactive records are purged one year from the date of resignation, separation and termination of employees from Peace Corps rolls. The Inactive Employee Service Records are reviewed annually for the removal and destruction of records with resignation, separation and termination dates that are six or more years old. The Management Union lists are retained until superseded by a corrected or updated list.

System manager(s) and address:

The Director of Personnel has overall responsibility for the official records covered by this system. Inquiries regarding records in these systems may be addressed to the Director of Personnel, or to the Privacy Act Officer, Office of Administrative Services, Peace Corps, 806 Connecticut Avenue, NW., Washington, D.C. 20526.

Notification procedure:

See the Notification paragraph in the Preliminary Statement above in this notice.

Record access procedures:

See the Access and Contest paragraph in the Preliminary Statement above in this notice.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

Information is obtained from the individual, the official personnel folder, statistical and other information developed by the Office of Personnel Management staff such as end of tour dates, arrival at post dates, and within class increase due dates, etc., agency supervisory and reviewing officials, individual employee fiscal and payroll records, alleged creditors of employees, witnesses to any occurrence giving rise to a grievance, appeal or other action, hearing records and affidavits and other documents used or usable in connection with grievance, appeal, and arbitration hearings.

Systems exempted from certain provisions of the act:

These records or portions of these records may be exempted by authority of 5 U.S.C. 552a(k)(5).

PC-15

System name:

Talent Bank.

Security classification:

None.

System location:

Office of Personnel Management and the Office of Executive Talent Search and at agencywide manager's desks.

Categories of individuals covered by the system:

Applicants for staff employment with Peace Corps.

Categories of records in the system:

These files contain copies of applications for employment (SF-171), resumes submitted by applicants, and other background information regarding qualifications of the applicant for staff positions in Peace Corps.

Authority for maintenance of the system:

The Peace Corps Act, 22 U.S.C. 2501 et seq.

Purpose(s):

The purpose of this system is to provide a supply of qualified applicants for Country Director and senior level positions with the Peace Corps. This system also includes applications solicited or received by agency managers for unique or hard to fill positions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The contents of these records and files may be disclosed and used as follows: a. To the Office of Personnel Management with regard to any question of eligibility, suitability or qualifications of an applicant for employment. b. To any source from which information is requested in the course of an inquiry as to the qualifications of an applicant, to the extent necessary to identify the individual, inform the source of the nature and purpose of the inquiry, and to identify the type of information requested. c. To the Executive Office of the President for candidates for Country Director and policy making positions. d. To United States Ambassadors in Peace Corps countries for Country Director appointees. e. Subject to routine uses listed in the above Preliminary Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Files are maintained in folders in metal file cabinets with three-way combination locks, or in a locked room or area during nonworking hours.

Retrievability:

Records are indexed in alphabetical order.

Safeguards:

Records are generally available only to Peace Corps employees with the need for such records in the performance of their duties.

Retention and disposal:

Records filed in the Office of Personnel Management and the Office of Executive Talent Search banks are destroyed when applications are two years old. Applications which result in appointments are filed in the Official Personnel Folder and when the employee leaves the agency are retired to the Federal Records Center in St. Louis, or forwarded to the next Federal employing office. Applications filed at agency manager levels are held no longer than one year.

System manager(s) and address:

The Director, Office of Personnel Management and the Director, Office of Executive Talent Search, Peace Corps, 806 Connecticut Avenue, NW., Washington, D.C. 20526; agency managers located at Peace Corps headquarters and field offices.

Notification procedure:

See the Notification paragraph in the Preliminary Statement above in this Notice.

Record access procedures:

See the Access and Contest paragraph in the Preliminary Statement above in this notice.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

Information contained in the system is obtained from the individual and from oral or written inquiries from sources disclosed by the applicant such as: Employers, schools, references, etc.

Systems exempted from certain provisions of the act:

These records or portions of these records may be exempted by authority of 5 U.S.C. 552a(k)(5).

PC-16

System name:

Travel Files.

Security classification:

None.

System location:

Peace Corps Washington, D.C. and domestic and overseas field offices. Addresses are listed in the Preliminary Statement at the beginning of this notice.

Categories of individuals covered by the system:

Any Peace Corps employee, expert, consultant, applicant/trainee/volunteer, contractor or other individual engaged in authorized official travel for the Peace Corps.

Categories of records in the system:

Travel authorizations, vouchers; itinerary; Government Bills of Lading; packing letter and passport numbers which are included for overseas travel; diplomatic, official and no-fee passports for staff, trainees and volunteers; completed visa applications (filed temporarily for Peace Corps Trainees), and other travel related material.

Authority for maintenance of the system:

The Peace Corps Act, 22 U.S.C. 2501 et. seq. The Budget and Accounting Act of 1921; The Accounting and Auditing Act of 1950; The Federal Claim Collection Act of 1966.

Purpose(s):

This system is maintained to provide a record to account for and issue payments as a result of authorized official Peace Corps travel and for audit purposes for the accountability of the expenditure of Federal funds.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Subject to routine uses listed in the above Preliminary Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in metal filing cabinets with manipulation proof combination locks or key locked filing cabinets or in a locked room after business hours.

Retrievability:

Records are arranged alphabetically by name in accord with categories i.e., staff travel file, Peace Corps applicant/trainee/volunteer travel file, and consultant, expert, and invitational travel files. Some records are filed by country.

Safeguards:

Records are available only to headquarters Travel Branch staff, field administrative staff and other appropriate officials of the Peace Corps with a need for such records for the performance of their duties.

Retention and disposal:

Records in the system are maintained for one year after the individual leaves the agency.

System manager(s) and address:

Chief, Travel Branch, Office of Administrative Services, 806 Connecticut Avenue, NW, Washington, D.C. 20526, and the Administrative Officers in the Peace Corps' domestic and overseas field offices. The addresses for the three Service Centers, area recruiting offices and overseas posts change from time to time and may be obtained by contacting the Director, Office of Administrative Services, Peace Corps.

Notification procedure:

See the Notification paragraph in the above Preliminary Statement.

Record access procedures:

See the Access and Contest paragraph in the above Preliminary Statement.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

Information is furnished by the individual traveller, supervisors or other Peace Corps staff.

PC-17

System name:

Volunteer Applicant and Service Records System.

Security classification:

None.

System location:

This system is made up of subsystems which are located agency-wide in Peace Corps offices. These locations are (a) Headquarters, (b) three Service Center offices and area and sub-area Recruitment offices, and (c) each Peace Corps overseas program office. The number of Peace Corps overseas offices fluctuates as programs are added or withdrawn. Specific addresses will be provided upon request to the Director of Administrative Services. Any particular country in which Peace Corps maintains a program may be addressed by writing to the Country Director, Peace Corps, c/o The American Embassy in the country.

Categories of individuals covered by the system:

Current and former Peace Corps volunteers, trainees and applicants for volunteer service including Peace Corps United Nations Volunteers. A record may exist in a subsystem depending on whether a record was established as part of the application, selection, placement, and service process.

Categories of records in the system:

This major system covers a number of temporary and permanent records established during the applicant, selection, placement, training and service stages. Most information maintained in this system is furnished by the individual. Generally, the individual is aware of any necessary investigations being conducted and is either counseled or authorizes such investigations. As the record progresses through the subsystems, generally, the following folders may be established: PCV Applicant File; Medical File; and Trainee/Volunteer Service File. If certain situations warrant, a Special Services file may be established. These records are explained in detail in the following paragraphs. At the processing and program support desk levels temporary day to day sets of records may be used or set up to meet the needs of work processes. This information is usually extracted from the official record or is a duplicate of information contained in the official record and is utilized only as long as needed for a particular decision, project or period of service. Upon completion of the use of such records they are destroyed or, in the case of a permanent document or record, are forwarded to the Peace Corps Records Center for retirement.

(1) Volunteer Applicant Folder and Computer Based Record. This record contains forms related to the applicant process such as the application, references, overseas suitability assessments, invitation to training, trainee enrollment forms, correspondence relating to the application, copies of other application documents, such as a Peace Corp background investigation form, evaluation-recruiter interview forms. Information is extracted from the official record hard copy to create a computer record which is used to track progress, issue labels for correspondence to the applicant and account for the establishment, retirement and ultimate destruction of the individual record. Statistical information, without personal identifiers, is used from the computer record.

(2) Trainee and Volunteer Service Pay Folder and Computer Based record: This record contains correspondence, forms related to pay allowances, travel and service such as, the Oath, designation of beneficiary, address, social security number, duty station, next of kin, trainee registration form, service and termination documents. Information is coded from hard copy documents to create a computer record for pay and verification of service purposes.

(3) Medical Folder: The medical record contains medical examination forms and fitness for duty reports, medical claims, correspondence and cables, medical histories, payment records, record of the consulting physician, treatment, hospitalization and disposition of the case, and history of psychiatric or psychological treatment.

(4) Special Services Folder: This record contains information pertaining to any unusual or extraordinary action or circumstances happening during service or causing the termination of the volunteer or trainee. These records contain details of reenrollments, reinstatements, death or termination. Details include name, country of assignment, program number, dates of the action, and supportive documentation. Supportive documentation would include termination reports, staff recommendations, cables, financial information, travel arrangements and medical clearance. Death cases may also include an autopsy report, documentation of account of the death, designation of beneficiary, policy report, death certificate, correspondence related to final arrangements, money payments and other financial matters.

(5) Overseas Post Service and Medical Records: Contain correspondence and forms relating to in country service such as reports of all payments of accrued credit to volunteers and trainees, advances or other items due to the government from volunteers or trainees, monthly living allowances, leave allowances, settling in allowances, property assignments. The medical record is maintained at post by the Peace Corps Health Official. It contains the entrance physical and dental examination records and record of treatment received while in Peace Corps.

(6) United Nations Volunteer Records: These records contain applications, correspondence related to the applicant/placement process, other records connected with the application, training and placement of persons wishing to serve or serving as United Nations Volunteers. For short periods of time references furnished by the applicant in support of the UNV application are kept in the UNV folder until the PC Applicant folder is received from the Office of Placement by Multilateral Programs. Then the UNV references, along with the UNV application, are forwarded to Geneva/UNV. Medical history forms for UNV applicants are forwarded by the examining facility to Peace Corps Office of Medical Services, who, after medical clearance by Peace Corps, forward them to the Medical Officer, Geneva/UNV. At the end of service or termination of the record the UNV record is forwarded to the Peace Corps Records

Center for combining and retirement as regular Peace Corps volunteer records.

Authority for maintenance of the system:

The Peace Corps Act, 22 U.S.C. 2501 et seq., and The Budget and Accounting Act of 1950.

Purpose(s):

This system was established to maintain records of individuals who apply for Peace Corps, Volunteer service and to record resulting actions taken on the applications and service.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The contents of these records may be disclosed and used as follows:

(a) As stated in our general routine uses unless specifically exempted under this heading.

(b) To Peace Corps Volunteer host country officials to obtain visas, inform of pending arrival of the trainee/volunteer and for review of their qualifications for a program.

(c) To the trainee/volunteer's family or next of kin so that he or she may be located in case of emergency.

(d) To the Social Security Administration for crediting of social security accounts and reports withholdings.

(e) To the Internal Revenue Service to report on taxes paid and for income purposes.

(f) To Federal agencies having a need to verify volunteer eligibility for Federal employment under provision of Executive Order 11103.

(g) To the Treasury Department for purposes of issuing payroll checks, readjustment allowance checks or to report overpayments.

(h) To appropriate overseas U.S. Government agencies for monthly payroll preparation.

(i) To verify active or former volunteer service.

(j) Regarding the United Nations Volunteers records: In addition to our general routine uses the contents of these records may be disclosed and used as follows: 1. To designated officers and employers of the United Nations having a responsibility for the selection and placement of U.N. Volunteers. 2. To officials of a proposed host country desiring the assignment or placement of U.N. Volunteers.

(k) Regarding medical records: Notwithstanding subsections (a) through (j), in addition to our general routine uses the medical records may be disclosed or used only as follows: 1. To the Office of Workers' Compensation Programs, U.S. Department of Labor in connection with claims under the Federal Employee's Compensation Act. 2. To a physician or other medical personnel treating or involved in the medical treatment and/or care of an applicant, trainee or volunteer and having a need for such records for the provision of the medical treatment or care. In situations where it is practicable, the individual's consent will be obtained before releasing such information. 3. To psychiatrists or clinical psychologists when necessary for treatment. To the extent practicable disclosure will not be made without approval of the individual. 4. In death cases to notify designated life and/or personal property insurance companies to obtain payment of insurance benefits; to notify the Office of the Vice President for the preparation of condolence letters; to the family and next of kin; and Department of State.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in folders, log books, cards, magnetic tape or disc packs with tape backup and are filed in metal filing cabinets with manipulation proof combination lock or in a room with a combination lock in the door, or in a locked room when not in use.

Retrievability:

The majority of the subsystem records are retrievable alphabetically by the last name. A few are retrievable by the social security number; by subject headings but access may be gained by reference to an alphabetical name index; or by alphabetical order by country of assignment.

Safeguards:

Records are generally available only to Peace Corps employees with specifically assigned duties which require working with the records on a day to day basis. They are available to other Peace Corps employees having the need for such records in the performance of their official duties. Personnel screening is employed to prevent unauthorized disclosure. Officials or employees having access to the security investigation records are required to have an appropriate security clearance.

Retention and disposal:

Most volunteer records are kept no longer than seven years. The Volunteer Personnel and Payroll Computer Record and the Volunteer Description of Service records are kept permanently. Medical records are destroyed as follows: (1) Records of rejected applicants are destroyed after 18 months; (2) records of trainees who do not become volunteers and records of individuals who enroll as volunteers are destroyed 25 years from the completion of service or termination date. Applicant records are destroyed as follows: (1) Immediately rejected applicant records are destroyed in six months; (2) records of applicants rejected before reporting to training are destroyed in one year; and (3) records of individuals who report to training are destroyed seven years from the completion of service or termination date.

System manager(s) and address:

As the record flows from one stage to another, or if a record is established for a specific purpose, the system manager is the agency official responsible for that particular function. If an individual is in doubt as to whom to contact, he or she should contact the Director, Office of Administrative Services. The system managers are:

1. The three Peace Corps Service Center Managers located at the New York Service Center; Chicago Service Center; and the San Francisco Service Center.

2. The following system managers are located at 806 Connecticut Avenue, NW, Washington, D.C. 20526:

Chief, Office of Placement
Chief, Health Benefits and Analysis Division
Chief, Medical Operations Division
Chief, Volunteer and Staff Payroll Services Branch
Director, Management Information and Assessment Division
Supervisor, Peace Corps Applicant Records Center, Office of Placement
Director, Office of Special Services
Coordinator, Multilateral Programs Section
Peace Corps Country Desk Officers

3. The following system managers can be contacted at the overseas post of assignment:

Peace Corps Country Directors Overseas
Peace Corps Medical Officers Overseas

Notification procedure:

See the Notification paragraph in the Preliminary Statement above in this notice.

Record access procedures:

See the Access and Contest paragraph in the Preliminary Statement above in this notice.

Contesting record procedures:

Same as "Record Access Procedures."

Record source categories:

Information is obtained from the individual; sources whom the individual has named; Peace Corps employees and other volunteer/trainees; medical personnel who have treated an applicant/trainee/volunteer or reviewed their medical records; medical contractors; U.S. Government investigative agencies, including the Office of Personnel Management; The Merit Systems Protection Board and its Special Counsel; the Federal Labor Relations Authority; local law enforcement officials; Peace Corps Host Country Nationals; Peace Corps Country American Embassy and Consulates, United Nations Staff; and job supervisors.

Systems exempted from certain provisions of the act:

These records or portions of these records may be exempted by authority of 5 U.S.C. 552a (k)(5).

PC-18

System name:

Former Volunteer/Staff Resource Record.

Security classification:

None.

System location:

Peace Corps, Office of Volunteer Recruitment and Selection, 806 Connecticut Avenue NW, Washington, DC 20526

Categories of individuals covered by the system:

All former staff and volunteers.

Categories of records in the system:

Individual former staff and former volunteer files containing the following information about the particular individual: Name; current address; current phone number; social security number; date of birth; next of kin name and address; pre-service, service, and post-service education; employment and training experience; trade skills; language skills; educational level; teaching experience, current interest in voluntary service; type of volunteer/staff duty assignment; and location of assignment.

Authority for maintenance of the system:

The Peace Corps Act, as amended (22 U.S.C. 2501, et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this file will be used by the Peace Corps agency to involve former staff and volunteers with policy formation, program evaluation, recruitment, foreign and domestic disaster relief, and to keep up-to-date addresses for mailing publications and public affairs releases.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Files are maintained on magnetic discs and tapes which are stored in a locked room when not in immediate use in a building with a 24-hour guard.

Retrievability:

Records are indexed by categories such as skills, social security number, and alphabetical order.

Safeguards:

Records in the system are available only to appropriate officials of the Peace Corps with the need for access to such records for the performance of their duties.

Retention and disposal:

Records are begun following the end of staff and/or volunteer services and retained for the "life" of the volunteer/staffer. These records have no present destruction date and are now expected to be destroyed 50 years after establishment.

System manager(s) and address:

Coordinator, Former Volunteer List Program, Peace Corps, 806 Connecticut Avenue, NW, Washington, DC 20526.

Notification procedure:

Individuals wishing to see information in their records, inquire if the system of records contains information about them, or contest/correct information, should provide their name, any former name, date of birth, social security number, dates of service, if known, location of service and type of service (whether volunteer or staff). Individuals should address their inquiries to the Director, Office of Administrative Services, Peace Corps, Washington, DC 20526. All inquiries should have "Privacy Act Request" noted on the envelope.

Record source categories:

Information supplied by former staff and former volunteers.

PEACE CORPS

22 CFR PART 308—IMPLEMENTATION OF THE PRIVACY ACT OF 1974

Sec.
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308.18 Fees.

Authority: 5 U.S.C. 552a.

Source: 50 FR 1844, Jan. 14, 1985.

§ 308.1 Purpose.

The purpose of this part is to set forth the basic policies of the Peace Corps governing the maintenance of systems of records containing personal information as defined in the Privacy Act of 1974 (5 U.S.C. 552a). Records included in this part are those described in the aforesaid Act and maintained by the Peace Corps and/or any component thereof.

§ 308.2 Policy.

It is the policy of the Peace Corps to protect, preserve and defend the right of privacy of any individual as to whom the agency maintains personal information in any records system and to provide appropriate and complete access to such records including adequate opportunity to correct any errors in said records. It is further the policy of the agency to maintain its records in such a fashion that the information contained therein is and remains material and relevant to the purposes for which it is collected in order to maintain its records with fairness to the individuals who are the subject of such records.

§ 308.3 Definitions.

(a) "Record" means any document, collection, or grouping of information about an individual maintained by the agency, including but not limited to information regarding education, financial transactions, medical history, criminal or employment history, or any other personal information which contains the name or personal identification number, symbol, photograph, or other identifying particular assigned to such individual, such as a finger or voiceprint.

(b) "System of Records" means a group of any records under the control of the agency from which information is retrieved by use of the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

(c) "Routine Use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

(d) The term "agency" means the Peace Corps or any component thereof.

(e) The term "individual" means any citizen of the United States or an alien lawfully admitted to permanent residence.

(f) The term "maintain" includes the maintenance, collection, use or dissemination of any record.

(g) The term "Act" means the Privacy Act of 1974 (5 U.S.C. 552a) as amended from time to time.

§ 308.4 Disclosure of records.

The agency will not disclose any personal information from systems of records it maintains to any individual other than the individual to whom the record pertains, or to another agency, without the express written consent of the individual to whom the record pertains, or his or her agent or attorney, except in the following instances:

(a) To officers or employees of the Peace Corps having a need for such record in the official performance of their duties.

(b) When required under the provisions of the Freedom of Information Act (5 U.S.C. 552).

(c) For routine uses as published in the **Federal Register**.

(d) To the Bureau of the Census for uses pursuant to Title 13.

(e) To an individual or agency having a proper need for such record for statistical research provided that such record is transmitted in a form which is not individually identifiable and that an appropriate written statement is obtained from the person to whom the record is transmitted stating the purpose for the request and a certification under oath that the records will be used only for statistical purposes.

(f) To the National Archives of the United States as a record of historical value under rules and regulations of the Archives or to the Administrator of General Services or his designee to determine if it has such value.

(g) To an agency or instrumentality of any governmental jurisdiction within the control of the United States for civil or criminal law enforcement activities, if the activity is authorized by law, and the head of any such agency or instrumentality has made a written request for such records specifying the particular portion desired and the law enforcement activity for which the record is sought. Such a record may also be disclosed by the agency to the law enforcement agency on its own initiative in situations in which criminal conduct is suspected: *Provided*, That such disclosure has been established as a routine use or in situations in which the misconduct is directly related to the purpose for which the record is maintained.

(h) In emergency situations upon a showing of compelling circumstances affecting the health or safety of any individual provided that after such disclosure, notification of such disclosure must be promptly sent to the last known address of the individual to whom the record pertains.

(i) To either House of Congress or to a subcommittee or committee (joint or of either house) to the extent the subject matter falls within their jurisdiction.

(j) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office.

(k) Pursuant to an order by the presiding judge of a court of competent jurisdiction. If any record is disclosed under such compulsory legal process and subsequently made public by the court which issued it, the agency must make a reasonable effort to notify the individual to whom the record pertains of such disclosure.

(l) To consumer reporting agencies as defined in 31 U.S.C. 3701(a)(3) in accordance with 31 U.S.C. 3711, and under contracts for collection services as authorized in 31 U.S.C. 3718.

§ 308.5 New uses of information.

The agency shall publish in the **Federal Register** a notice of its intention to establish a new or revised routine use of any system of records maintained by it with an opportunity for public comments on such use. Such notice shall contain the following:

(a) The name of the system of records for which the new or revised routine use is to be established.

(b) The authority for maintaining the system of records.

(c) The categories of records maintained in the system.

(d) The purpose for which the record is to be maintained.

(e) The proposed routine use(s).

(f) The purpose of the routine use(s).

(g) The categories of recipients of such use.

In the event of any request for an addition to the routine uses of the systems which the agency maintains, such request may be sent to the following officer: Director, Office of Administrative Services, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

§ 308.6 Reports regarding changes in systems.

The agency shall provide to Congress and the Office of Management and Budget advance notice of any proposal to establish or alter any system of records as defined herein. This report will be submitted in accord with guidelines provided by the Office of Management and Budget.

§ 308.7 Use of social security account number in records systems. [Reserved]

§ 308.8 Rules of conduct.

(a) The Head of the agency shall assure that all persons involved in the design, development, operation or maintenance of any systems of records as defined herein are informed of all requirements necessary to protect the privacy of individuals who are the subject of such records. All employees shall be informed of all implications of the Act in this area including the criminal penalties provided under the Act, and the fact the agency may be subject to civil suit for failure to comply with the provisions of the Privacy Act and these regulations.

(b) The Head of the agency shall also ensure that all personnel having access to records receive adequate training in the protection of the security of personal records and that adequate and proper storage is provided for all such records with sufficient security to assure the privacy of such records.

§ 308.9 Records systems—management and control.

(a) The Director, Office of Administrative Services, shall have overall control and supervision of the security of all records keeping systems and shall be responsible for monitoring the security standards set forth in these regulations.

(b) A designated official (System Manager) shall be named who shall have management responsibility for each record system maintained by the agency and who shall be responsible for providing protection and accountability for such records at all times and for insuring that such records are secured in appropriate containers wherever not in use or in the direct control of authorized personnel.

§ 308.10 Security of records systems—manual and automated.

The Head of the agency has the responsibility of maintaining adequate technical, physical, and security safeguards to prevent unauthorized disclosure or destruction of manual and automatic record systems. These security safeguards shall apply to all systems in which identifiable personal data are processed or maintained including all reports and outputs from such systems which contain identifiable personal information. Such safeguards must be sufficient to prevent negligent, accidental, or unintentional disclosure, modification or destruction of any personal records or data and must furthermore minimize the extent technicians or knowledgeable persons could improperly obtain access to modify or destroy such records or data and shall further insure against such casual entry by unskilled persons without official reasons for access to such records or data.

(a) *Manual systems.* (1) Records contained in records systems as defined herein may be used, held or stored only where facilities are adequate to prevent unauthorized access by persons within or without the agency.

(2) All records systems when not under the personal control of the employees authorized to use same must be stored in an appropriate metal filing cabinet. Where appropriate, such cabinet shall have a three position dial-type combination lock, and/or be equipped with a steel lock bar secured by a GSA approved changeable combination padlock or in some such other securely locked cabinet as may be approved by GSA for the storage of such records. Certain systems are not of such confidential nature that their disclosure would harm an individual who is the subject of such record. Records in this category shall be maintained in steel cabinets without the necessity of combination locks.

(3) Access to and use of systems of records shall be permitted only to persons whose official duties require such access within the agency, for routine use as defined in § 308.4 and in the Peace Corps' published systems of records notices, or for such other uses as may be provided herein.

(4) Other than for access within the agency to persons needing such records in the performance of their official duties or routine uses as defined herein and in the Peace Corps' systems of records notices or such other uses as provided herein, access to records within systems of records shall be permitted only to the individual to whom the record pertains or upon his or her written request to a designated personal representative.

(5) Access to areas where records systems are stored will be limited to those persons whose official duties require work in such areas and proper accounting of removal of any records from storage areas shall be maintained at all times in the form directed by the Director, Administrative Services.

(6) The agency shall assure that all persons whose official duties require access to and use of records contained in records systems are adequately trained to protect the security and privacy of such records.

(7) The disposal and destruction of records within records systems shall be in accord with rules promulgated by the General Services Administration.

(b) *Automated systems.* (1) Identifiable personal information may be processed, stored or maintained by automatic data systems only where facilities or conditions are adequate to prevent unauthorized access to such systems in any form. Whenever such data contained in punch cards, magnetic tapes or discs are not under the personal control of an authorized person such information must be stored in a metal filing cabinet having a built-in three position combination lock, a metal filing cabinet equipped with a steel lock, a metal filing cabinet equipped with a steel lock bar secured with a General Services Administration (GSA) approved combination padlock, or in adequate containers or in a secured room or in such other facility having greater safeguards than those provided for herein.

(2) Access to and use of identifiable personal data associated with automated data systems shall be limited to those persons whose official duties require such access. Proper control of personal data in any form associated with automated data systems shall be maintained at all times including maintenance of accountability records showing disposition of input and output documents.

(3) All persons whose official duties require access to processing and maintenance of identifiable personal data and automated systems shall be adequately trained in the security and privacy of personal data.

(4) The disposal and disposition of identifiable personal data and automated systems shall be carried on by shredding, burning or in the case of tapes of discs, degaussing, in accord with any regulations now or hereafter

proposed by the GSA or other appropriate authority.

§ 308.11 Accounting for disclosure of records.

Each office maintaining a system of records shall keep a written account of routine disclosures (see paragraphs (a) through (e) of this section) for all records within such system in the form prescribed by the Director, Office of Administrative Services. Disclosure made to employees of the agency in the normal course of their official duties or pursuant to the provisions of the Freedom of Information Act need not be accounted for. Such written account shall contain the following:

(a) The date, nature, and purpose of each disclosure of a record to any person or to another agency.

(b) The name and address of the person or agency to whom the disclosure was made.

(c) Sufficient information to permit the construction of a listing of all disclosures at appropriate periodic intervals.

(d) The justification or basis upon which any release was made including any written documentation required when records are released for statistical or law enforcement purposes under the provisions of subsection (b) of the Act.

(e) For the purpose of this part, the system of accounting for disclosure is not a system of records under the definitions hereof and no accounting need be maintained for the disclosure of accounting of disclosures.

§ 308.12 Contents of records systems.

(a) The agency shall maintain in any records contained in any records system hereunder only such information about an individual as is accurate, relevant, and necessary to accomplish the purpose for which the agency acquired the information as authorized by statute or Executive Order.

(b) In situations in which the information may result in adverse determinations about such individual's rights, benefits and privileges under any Federal program, all information placed in records systems shall, to the greatest extent practicable, be collected from the individual to whom the record pertains.

(c) Each form or other document which an individual is expected to complete in order to provide information for any records system shall have appended thereto, or in the body of the document:

(1) An indication of the authority authorizing the solicitation of the information and whether the provision of the information is mandatory or voluntary.

(2) The purpose or purposes for which the information is intended to be used.

(3) Routine uses which may be made of the information and published pursuant to § 308.7 of this regulation.

(4) The effect on the individual, if any, of not providing all or part of the required or requested information.

(d) Records maintained in any system of records used by the agency to make any determinatioin about any individual shall be maintained with such accuracy, relevancy, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in the making of any determination about such individual: *Provided however*, that the agency shall not be required to update or keep current retired records.

(e) Before disseminating any record about an individual to any person other than an agency as defined in 5 U.S.C. 552(e) or pursuant to the provsions of the Freedom of Information Act (5 U.S.C. 552), the agency shall make reasonable efforts to assure that such records are accurate, complete, timely and relevant for agency purposes.

(f) Under no circumstances shall the agency maintain any record about an individual with respect to or describing how such individual exercises rights guaranteed by the first amendment of the Constitution of the United States unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity.

(g) In the event any record is disclosed as a result of the order of a presiding judge of a court of competent jurisdiction, the agency shall make reasonable efforts to notify the individual whose record was so disclosed after the process becomes a matter of public record.

§ 308.13 Access to records

(a) The Director, Administrative Services, shall keep a current list of systems of records maintained by the agency and published in accordance with the provisions of these regulations.

(b) Individuals requesting access to any record the agency maintains about him or her in a system of records shall be provided access to such records. Such requests shall be submitted in writing by mail, or in person during regular business hours, to the System Managers identified in the specific system notices. Systems maintained at overseas and domestic field offices may be addressed to the Country Director or Regional Service Center Manager. If assistance is needed, the Director, Office of Administrative Services, will provide agency addresses.

(c) Requests for records from more than one system of records shall be directed to the Director, Office of Administrative Services, Peace Crops, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

(d) Requests for access to or copies of records should contain, at a minimum, identifying information needed to locate any given record and a brief description of the item or items of information required. If the individual wishes access to specific documents the request should identify or describe as nearly as possible such documents.

(e) A record may be disclosed to a representative of the person to whom a record relates who is authorized in writing to have access to the record by the person to whom it relates.

(f) A request made in person will be promptly complied with if the records sought are in the immediate custody of the Peace Corps. Mailed or personal request for documents in storage which must be complied from more than one location, or which are otherwise not immediately available, will be acknowledge within ten working days, and the records requested will be provided as promptly thereafter as possible.

(g) Medical or psychological records shall be disclosed to an individual unless in the judgment of the agency, access to such records might have an adverse effect upon such individual. When such determination has been made, the agency may require that the information be disclosed only to a physician chosen by the requesting individual. Such physician shall have full authority to disclose all or any portion of such record to the requesting individual in the exercise of his or her professional judgment.

§ 308.14 Specific exemptions.

Records or portions of records in certain record systems specified below shall be exempt from disclosure: *Provided, however*, That no such exemption shall apply to the provisions of § 308.12(a) (maintaining records with accuracy, completeness, etc. as reasonably necessary for agency purposes); § 308.12(b) (collecting information directly from the individual to whom it pertains); § 308.12(c) (informing individuals asked to supply information of the purposes for which it is collected and whether it is mandatory); § 308.12(g) (notifying the subjects of records disclosed under compulsory court process); § 308.16(d)(hereof (informing prior recipient of corrected or disputed records); § 308.16 (g) (civil remedies). With the above exceptions the following material shall be exempt from disclosure to the extent indicated:

(a) Material in any system of records considered classified and exempt from disclosure under provisions of section 552(b)(1) of the Freedom of Information Act. Agency systems of records now containing such material are: Legal Files—Staff, Volunteers and Applicants; Security Records Peace Corps Staff/Volunteers and ACTION staff.

(1) Authority: 5 USC 552a (k)(1)

(2) Reasons: To protect information classified in the interest of national defense or foreign policy.

(b) Investigatory material compiled for the purposes of law enforcement: *Provided however*, That if any individual is denied any right, privilege, or benefit that he or she would otherwise be entitled to by Federal law, or for which he or she would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to such individual except to the extent necessary to protect the identity of a source who furnished information to the government under an express promise that his or her identity would be held in confidence, or prior to the effective date of the Privacy Act of 1974, under an implied promise of such confidentiality of the identity of such source. Agency systems of records containing such investigatory material are: Discrimination Complaint Files; Employee Occupational Injury and Illness Reports; Legal Files—Staff, Volunteers and Applicants; Security Records—Peace Corps Staff/Volunteers and ACTION Staff.

(1) Authority: 5 USC 552a(k)(2)

(2) Reasons: To protect the identity of sources to whom proper promises of confidentiality have been made during investigations. Without these promises, sources will often be unwilling to provide information essential in adjudicating access in a fair and impartial manner.

(c) Investigatory material compiled solely for the purpose of determining suitability, eligibility or qualification for service as an employee or volunteer or for the obtaining of a Federal contract or for access to classified information: *Provided, however*, That such material shall be disclosed to the extent possible without revealing the identity of a source who furnished information to the government under an express promise of the confidentiality of his or her identity or, prior to the effective date of the Privacy Act of 1974, under an implied promise of such confidentiality of identity. Agency systems of records containing such material are: Contractors and Consultant Files; Discrimination Complaint Files; Legal Files—Staff, Volunteers and Applicants; Personal Service Contract Records—Peace Corps Staff/Volunteers and ACTION Staff; Staff Applicant and Personnel Records; Talent Bank; Volunteer Applicant and Service Record Systems.

(1) Authority: 5 USC 552a(k)(5)

(2) Reasons: To ensure the frankness of information used to determine whether Peace Corps Volunteers applicants and Peace Corps Staff applicants are qualified for service with the agency.

§ 308.15 Identification of requesters.

The agency shall require reasonable identification of all individuals who request access to records to assure that records are not disclosed to persons not entitled to such access.

(a) In the event an individual requests disclosure in person, such individual shall be required to show an identification card such as a driver's license, etc., containing a photo and a sample signature of such individual. Such individual may also be required to sign a statement under oath as to his or her identity acknowledging that he or she is aware of the penalties for improper disclosure under the provisions of the Privacy Act of 1974.

(b) In the event that disclosure is requested by mail, the agency may request such information as may be necessary to reasonably assure that the individual making such request is properly identified. In certain cases, the agency may require that a mail request be notarized with an indication that the notary received an acknowledgment of identity from the individual making such request.

(c) In the event an individual is unable to provide suitable documentation or identification, the agency may require a signed notarized statement asserting the identify of the individual and stipulating that the individual understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine of up to $5,000.

(d) In the event a requester wishes to be accompanied by another person while reviewing his or her records, the agency may require a written statement authorizing discussion of his or her records in the presence of the accompanying representative or other persons.

§ 308.16 Amendment of records and appeals with respect thereto.

(a) In the event an individual desires to request an amendment of his or her record, he or she may do so by submitting such written request to the Director, Administrative Services, Peace Corps, 806 Connecticut Avenue, NW, Washington, D.C. 20526. The Director, Administrative Services, shall provide assistance in preparing any amendment upon request and a written acknowledgment of receipt of such request within 10 working days after the receipt thereof from the individual who requested the amendment. Such acknowledgment may, if necessary, request any additional information needed to make a determination with respect to such request. If the agency decides to comply with the request within the 10 day period, no written acknowledgment is necessary: *Provided however*, That a certification of the change shall be provided to such individual within such period.

(b) Promptly after acknowledgment of the receipt of a request for an amendment the agency shall take one of the following actions:

(1) Make any corrections of any portion of the record which the individual believes is not accurate, relevant, timely or complete.

(2) Inform the individual of its refusal to amend the record in accord with the request together with the reason for such refusal and the procedures established for requesting review of such refusal by the head of the agency or his or her designee. Such notice shall include the name and business address of the reviewing official.

(3) Refer the request to the agency that has control of and maintains the record in those instances where the record requested remains the property of the controlling agency and not of the Peace Corps.

(c) In reviewing a request to amend the record the agency shall assess the accuracy, relevance, timeliness and completeness of the record with due and appropriate regard for fairness to the individual about whom the record is maintained. In making such determination, the agency shall consult criteria for determining record quality published in pertinent chapters of the *Federal Personnel Manual* and to the extent possible shall accord therewith.

(d) In the event the agency agrees with the individual's request to amend such record it shall:

(1) Advise the individual in writing.

(2) Correct the record accordingly, and

(3) Advise all previous recipients of a record which was corrected of the correction and its substance.

(e) In the event the agency, after an initial review of the request to amend a record, disagrees with all or a portion of it, the agency shall:

(1) Advise the individual of its refusal and the reasons therefore,

(2) Inform the individual that he or she may request further review in accord with the provisions of these regulations, and

(3) Specify The name and address of the person to whom the request should be directed.

(f) In the event an individual requester disagrees with the initial agency determination, he or she may appeal such determination to the Director of the Peace Corps or his or her designee. Such request for review must be made within 30 days after receipt by the requester of the initial refusal to amend.

(g) If after review the Director or designee refuses to amend the record as requested he or she shall advise the individual requester of such refusal and the reasons for same; of his or her right to file a concise statement in the record of the reasons for disagreeing with the decision of the agency; of the procedures for filing a statement of disagreement and of the fact that such statement so filed will be made available to anyone to whom the record is subsequently disclosed together with a brief statement of the agency summarizing its reasons for refusal, if the agency decides to place such brief statement in the record. The agency shall have the authority to limit the length of any statement to be filed, such limit to depend upon the record involved. The agency shall also inform such individual that prior recipients of the disputed record will be provided a copy of both statements of the dispute to the extent that the accounting of disclosures has been maintained and of the individual's right to seek judicial review of the agency's refusal to amend the record.

(h) If after review the official determines that the record should be amended in accordance with the individual's request, the agency shall proceed as provided above in the event a request is granted upon initial demand.

(i) Final agency determination of an individual's request for a review shall be concluded with 30 working days from the date of receipt of the review request: *Provided however*, That the Director or designee may determine that fair and equitable review cannot be made within that time. If such circumstances occur, the individual shall be notified in writing of the additional time required and of the approximate date on which determination of the review is expected to be completed.

§ 308.17 Denial of access and appeals with respect thereto.

In the event that the agency finds it necessary to deny any individual access to a record about such individual pursuant to provisions of the Privacy Act or of these regulations, a response to the original request shall be made in writing within ten working days after the date of such initial request. The denial shall specify the reasons for such refusal or denial and advise the individual of the reasons therefore, and of his or her right to an appeal within the agency and/or judicial review under the provisions of the Act.

(a) In the event an individual desires to appeal any denial of access, he or she may do so in writing by addressing such appeal to the attention of the Director, Peace Corps, or designee identified in such denial. Such appeal should be addressed to Director, Peace Corps, c/o Office of Administrative Services, Room P-314, 806 Connecticut Avenue, NW, Washington, D.C. 20526.

(b) The Director, or designee, shall review a request from a denial of access and shall make a determination with respect to such appeal within 30 days after receipt thereof. Notice of such determination shall be provided to the individual making the request in writing. If such appeal is denied in whole or in part, such notice shall include notification of the right of the person making such request to have judicial review of the denial as provided in the Act.

§ 308.18 Fees.

No fees shall be charged for search time or for any other time expended by the agency to produce a record. Copies of records may be charged for at the rate of 10 cents per page provided that one copy of any record shall be provided free of charge.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

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PADC—1

System name: General Personnel Files (including copies of OPF-CSC)- PADC.

System location: Pennsylvania Avenue Development Corporation, 425 13th Street, NW., Suite 1148, Washington, D.C. 20004.

Categories of individuals covered by the system: Past and present employees of the Corporation; past and present members of Board of Directors; past and present experts and consultants who have been employed on an intermittent or temporary basis.

Categories of records in the system: Personnel information, including: Position descriptions; performance appraisals; notifications of personnel action; travel records; payroll change slips; employment history; Personal Qualifications Statement (SF-171) and resumes; social security number; biographical sketches; applications for government motor vehicle operator's permits; employee telephone and address listings.

Authority for maintenance of the system: Pennsylvania Avenue Development Corporation Act of 1972, Sec. 6, Pub. L. 92-578, 86 Stat. 1270 (40 U.S.C. 875).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix. Information is used in-house to complete reports, take personnel action, and fulfill other administrative requirements. Categories of users are Administrative Officer and Administrative Assistant and Supervisors.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records stored in file folders.

Retrievability: Retrieved manually, by name of individual.

Safeguards: Records are stored in locking metal file cabinets in secured premises; access is limited to those whose official duties require access.

Retention and disposal: Records retained indefinitely.

System manager(s) and address: Administrative Officer, Pennsylvania Avenue Development Corporation, 425 13th Street, NW., Suite 1148, Washington, D.C. 20004.

Notification procedure: Address inquiries to Administrative Officer, at above address. See Corporation regulations on access in 36 CFR Part 903.

Record access procedures: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual to whom records pertain; supervisors; official personnel records.

Contesting record procedures: None.

PADC—2

System name: Time and Attendance Records—PADC.

System location: Pennsylvania Avenue Development Corporation, 425 13th Street, NW., Suite 1148, Washington, D.C. 20004.

Categories of individuals covered by the system: Past and present Corporation staff members; past and present members of Board of Directors; past and present experts and consultants who are employed on an intermittent or temporary basis.

Categories of records in the system: Records of all actual hours worked; annual leave status; sick leave status; copies of all time and attendance records.

Authority for maintenance of the system: Pennsylvania Avenue Development Corporation Act of 1972, Sec. 6, Pub. L. 92-578, 86 Stat. 1270 (40 U.S.C. 875).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix. Records are used to prepare payroll checks and to maintain records of leave. Routine user is General Services Administration; records are also released to General Accounting Office for auditing and to Internal Revenue Service for investigation purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Current records in system maintained in two loose-leaf notebooks; previous year records maintained in file storage.

Retrievability: Retrieved manually, by name of individual.

Safeguards: Data are maintained in secured premises.

Retention and disposal: Records retained indefinitely.

System manager(s) and address: Administrative Officer, Pennsylvania Development Corporation, 425 13th Street, NW., Suite 1148, Washington, D.C. 20004.

Notification procedure: Address inquiries to Administrative Officer, at above address. See Corporation Regulations on access in 36 CFR Part 903

Record access procedures: Same as the above.

Contesting record procedures: Individual to whom records pertain; timekeeper; supervisors.

PADC—3

System name: Job Applications—PADC.

System location: Pennsylvania Avenue Development Corporation, 425 13th Street, NW., Suite 1148, Washington, D.C. 20004.

Categories of individuals covered by the system: Individuals who have applied for positions with the Corporation.

Categories of records in the system: Job applications (SF-171) and resumes containing name, address, telephone number, date and place of birth, marital status, employment and educational history, and similar information.

Authority for maintenance of the system: Pennsylvania Avenue Development Corporation Act of 1972, Sec. 6, Pub. L. 92-578, 86 Stat. 1270 (40 U.S.C. 875).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix. Information is used to evaluate prospective employees of the Corporation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Material stored in file folders.

Retrievability: Retrieved manually, by name of individual.

Safeguards: Records are stored in locking metal file cabinets in secured premises.

Retention and disposal: Records are either returned to applicant or maintained for one year from date of receipt and then destroyed.

System manager(s) and address: Administrative Officer, Pennsylvania Avenue Development Corporation, 425 13th Street, NW., Suite 1148, Washington, D.C. 20004.

Notification procedure: Address inquiries to Administrative Officer, at above address. See Corporation Regulations on access in 36 CFR Part 903.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual to whom records pertain.

Systems exempted from certain provisions of the act: None.

PADC—4

System name: General Accounting Records—PADC.

System location: General Services Administration, Central Office; copies held by the Corporation. (GSA holds records for the Corporation under agreement).

Categories of individuals covered by the system: Corporation employees; Member of the Board of Directors; experts and consultants who have been employed on an intermittent or temporary basis.

Categories of records in the system: SF-1038, Application and account for advance of funds; SF-1164, Reimbursement Vouchers; SF-1112, Travel Voucher.

Authority for maintenance of the system: 31 U.S.C., generally; also Pennsylvania Avenue Development Corporation Act of 1972, Sec. 5, 6, Pub. L. 92-578, 86 Stat. 1269, 1270 (40 U.S.C. 874, 875)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix. Records also are released to General Accounting Office for audits; to the Internal Revenue Service for investigation; to the General Services Administration for administrative services; to the Treasury Department for reimbursement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and tape.

Retrievability: Manual and automated by name.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Administrative Officer, Pennsylvania Avenue Development Corporation, 425 13th Street, NW., Suite 1148, Washington, D.C. 20004.

Notification procedure: Address inquiries to Administrative Officer, at above address. See Corporation Regulations on access in 36 CFR Part 903.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The subject individual; the Corporation.

Systems exempted from certain provisions of the act: None.

PADC—5

System name: Payroll Records—PADC.

System location: General Services Administration, Region 3 Office; copies held by the Corporation. (GSA holds records for the Corporation under agreement.)

Categories of individuals covered by the system: Past and present Corporation employees; past and present members of Board of Directors; past and present experts and consultants who have been employed on an intermittent or temporary basis.

Categories of records in the system: Varied payroll records, including, among other documents, time and attendance cards; payment vouchers; comprehensive listing of employees; health benefits records; requests for deductions; tax forms; W2 forms; overtime requests; leave data; retirement records. Records are used by the Corporation and GSA employees to maintain adequate payroll information for Corporation employees and otherwise by Corporation and GSA employees who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally; also Pennsylvania Avenue Development Corporation Act of 1972, Secs. 5, 6, Pub. L. 92-578, 86 Stat. 1269, 1270 (40 U.S.C. 874, 875).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix. Records can be released to the General Accounting Office for audits; to the Internal Revenue Service for investigation; to the General Services Administration for administrative services.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microfilm.

Retrievability: Social Security Number.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Administrative Officer, Pennsylvania Avenue Development Corporation, 425 13th Street, NW., Suite 1148, Washington, D.C. 20004.

Notification procedure: Address inquiries to Administrative Officer, at above address. See Corporation Regulations on access in 36 CFR Part 903.

Record access procedures: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual to whom records pertain; the Corporation, including its timekeeper.

Systems exempted from certain provisions of the act: None.

PADC—6

System name: Equal Employment Opportunity Compliance and Complaint Files—PADC.

System location: Pennsylvania Avenue Development Corporation, 425 13th Street, NW., Suite 1148, Washington, D.C. 20004.

Categories of individuals covered by the system: Individuals filing EEO complaints with the Corporation.

Categories of records in the system: Name, address, social security number, job title, wage rate, earnings, dates of employment, race, sex, work history, data on applications for employment, and complaint, including letter or document initiating complaint, directions on investigating complaint, afidavits, investigating report, and copies of correspondence with complainant.

Authority for maintenance of the system: U.S.C. 3301, 7151-7154, E.O. 11478.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix; the purpose of the file is to cause action to be taken on discrimination complaints.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records stored in file folders.

Retrievability: Retrieved manually, by name of individual.

Safeguards: Records are stored in locking metal file cabinets in secured premises; access is limited to those official duties require access.

Retention and disposal: Records retained indefinitely.

System manager(s) and address: General Counsel, Pennsylvania Avenue Development Corporation, 425 13th Street, NW., Suite 1148, Washington, D.C. 20004.

Notification procedure: Address inquiries to General Counsel, at above address. See Corporation Regulations on access in 36 CFR Part 903.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual to whom records pertain; fellow workers and employer pursuant to investigation of complaint.

Systems exempted from certain provisions of the act: None.

PADC-7

System name: Acquisition and Relocation Files.

System location: Pennsylvania Avenue Development Corporation, 425 13th Street, NW., Washington, D.C. 20004.

Categories of individuals covered by the system: Property owners and tenants located within the PADC areas.

Categories of records in the system: Relocation proceedings, acquisition proceedings, contracts, address and phone number of business, description of premises, business and type of ownership, valuation of business and premises.

Authority for maintenance of the system: Pennsylvania Avenue Development Corporation Act of 1972, Sec. 6(6) Pub. L. 92-578, 86 Stat. 1270 (40 U.S.C. 875) and Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, Pub. L. 91-646, 84 Stat. 1894 (42 U.S.C. 4601 et. seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix to full text of systems of records, 42 FR 48782, September 23, 1977. Records are used to compile mailing lists, compile statistics, determine eligibility for payment, determine amount of payment, determine ownership in order to proceed with negotiation for acquisition, determine relocation needs.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File cabinet in office of Relocation Officer.

Retrievability: Information on individual is retrievable by master chart number. Information on property owners is retrievable by lot and square number.

Safeguards: Access is limited to real estate staff members who must use Master Chart to determine names of displaced individuals. Master Chart is secured in office of Relocation Officer.

Retention and disposal: Information is maintained until statutory or regulatory time for administrative and judicial appeals has lapsed. It will be destroyed thereafter.

System manager(s) and address: Relocation Officer.

Notification procedure: Individuals seeking to determine whether this system of records contains information about themselves should address their inquiries to the Privacy Protection Officer, Pennsylvania Avenue Development Corporation, 425 13th Street, NW, Suite 1148, Washington, D.C. 20004; telephone: (202) 523-5476.

Record access procedures: Individuals seeking access to records about themselves in this system of records should address their inquiries to the Privacy Protection Officer at the address listed in the notification section above.

Contesting record procedures: Individuals contesting the content of records about themselves contained in this system of records should address their inquiries to the Privacy Protection Officer at the address listed in the notification section above.

Record source categories: Individual or business to whom records pertain.

Appendix (PADC)

1. In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

2. A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract or the issuance of a license, grant or other benefit.

3. A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

4. A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement or a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of federal personnel management.

5. A record from this system of records may be disclosed to officers and employees of a federal agency for purposes of audit.

6. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

7. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving the individual when the individual is a constituent of the Member and has requested assistance from the Member with respect to the subject matter of the record.

Title 36-Parks, Forests, and Public Property

Chapter IX-Pennsylvaina Avenue Development Corporation

PART 903—PRIVACY ACT

Sec.

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Authority: 5 U.S.C. 552a; 40 U.S C. 870.

Source: 42 FR 5973, Feb. 1, 1977, unless otherwise noted.

§ 903.1 Purpose and scope.

The purpose of this part is to enable the Pennsylvania Avenue Development Corporation to implement the Privacy Act of 1974, and in particular the provisions of 5 U.S.C. 552a, as added by the Act. The Act was designed to insure that personal information about individuals collected by Federal agencies be limited to that which is legally authorized and necessary, and that the information is maintained in a manner which precludes unwarranted intrusions upon individual privacy. The regulations in this part establish, and make public, procedures whereby an individual can: (a) Request notification of whether or not the Corporation maintains or has disclosed a record pertaining to him or her, (b) request access to such a record or an accounting of its disclosure, (c) request that the record be amended, and (d) appeal any initial adverse determination of a request to amend a record.

§ 903.2 Definitions.

As used in this part:

(a) "Agency" means agency as defined in 5 U.S.C. 552(e).

(b) "Corporation" means the Pennsylvania Avenue Development Corporation.

(c) "Workday" shall be a day excluding a Saturday, Sunday or legal holiday.

(d) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence.

(e) "Maintain" includes maintain, collect, use, or disseminate.

(f) "Record" means any items, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his or her education, financial transactions, medical history, and criminal or employment history and that contains his or her name, or the identifying number, symbol or other identifying particular assigned to the individual, such as a finger or voice print or a photograph.

(g) The term "system of records" means a group of records under the control of an agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

(h) The term "statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual except as provided by Section 8 of Title 13, United States Code.

(i) The term "routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

§ 903.3 Procedures for notification of records pertaining to individuals.

(a) An individual making a written or oral request under the Privacy Act (5 U.S.C. 522a) shall be informed of any Corporation systems of records which pertain to the individual, if the request contains a reasonable identification of the appropriate systems of records as described in the notice published in the **Federal Register**.

(b) Requests may be made in person between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, (except legal holidays). The request should be addressed to the Privacy Protection Officer, Pennsylvania Avenue Development Corporation, 1331 Pennsylvania Ave., NW, Suite 1220 North, Washington, D.C. 20004. The Privacy Protection Officer of the Corporation will require adequate personal identification before processing the request. If a request is made in writing it must be under the signature of the requesting individual and include the individual's address, date of birth, and an additional proof of identification, such as a photocopy of a driver's license or similar document bearing the individual's signature. A notarized, signed statement is acceptable to verify the identity of the individual involved without additional proof.

[42 FR 5973, Feb. 1, 1977, as amended at 50 FR 45824, Nov. 4, 1985]

§ 903.4 Requests for access to records.

(a) Except as otherwise provided by law or regulation, an individual, upon request made in person or delivered in writing may gain access to his or her record or to any information pertaining to him or her which is contained in a system of records maintained by the Corporation, and to review the record and have a copy made of all or any portion thereof in a form comprehensible to him or her. An individual seeking access to a Corporation record may be accompanied by a person of his or her choosing. However, the Corporation will require a written statement from the individual authorizing discussion of his or her record in the accompanying person's presence.

(b) A request under paragraph (a) of this section shall be directed to the Privacy Protection Officer at the place, times and in the manner prescribed in § 903.3 (a) and (b). The request should include the following information: (1) The name of the individual; (2) if made in writing, the information required under § 903.3(b); (3) a description of system or systems of records which contain the record to which access is requested; (4) the approximate dates covered by the record; and, (5) a suggested date and time when the individual would like to view the record.

(c) Requests which do not contain information sufficient to identify the record requested will be returned promptly to the requester, with a notice indicating that information is lacking. Individuals making requests in person will be informed of any deficiency in the specification of records or identification at the time that the request is made. The Privacy Protection Officer of the Corporation will require adequate personal identification before processing a request made in person.

§ 903.5 Response to request for access.

(a) Within 10 days of receipt of a request made under § 903.4 the Privacy Protection Officer shall determine whether access to the record is available under the Privacy Act and shall notify the requesting individual in person or in writing of that determination.

(b) Notices granting access shall inform the individual when and where the requested record may be seen, how copies may be obtained, and of any anticipated fees or charges which may be incurred under § 903.11. Access shall be provided within 30 days of receipt of the request unless the Corporation, for good cause shown, is unable to provide prompt access, in which case the individual shall be informed in writing within the 30 days as to the cause for delay and when it is anticipated that access will be granted.

(c) Notices denying access shall state the reasons for the denial, and advise the individual that the decision may be appealed in accordance with the procedures set forth in § 903.6.

§ 903.6 Appeal of initial denial of access.

(a) After receiving notification of an initial denial of access to a record, an individual may request a review and reconsideration of the request by the Executive Director of the Corporation, or an officer of the Corporation designated by him, but other than the Privacy Protection Officer. Appeals for review shall be in writing, addressed to the Executive Director, Pennsylvania Avenue Development Corporation, 1331 Pennsylvania Avenue, NW, Suite 1220 North, Washington, D.C. 20004. The appeal shall identify the record as in the original request, shall indicate the date of the original request and the date of the initial denial, and shall indicate the expressed basis for the denial.

(b) Not later than 30 days after receipt of an appeal, the Executive Director, or an officer of the Corporation designated by him, will complete review of the appeal and the initial denial and either:

(1) Determine that the appeal should be granted, and notify the individual in writing to that effect; or,

(2) Determine that the appeal should be denied because the information requested is exempt from disclosure. If the reviewing official denies the appeal, he or she shall advise the individual in writing of the decision and the reasons for reaching it, and that the denial of the appeal is a final agency action entitling the individual to seek judicial review in the appropriate district court of the United States as provided in 5 U.S.C. 552a(g).

[42 FR 5973, Feb. 1, 1977, as amended at 50 FR 45824, Nov. 4, 1985]

§ 903.7 Requests for amendment of record.

(a) An individual may request amendment of a Corporation record pertaining to him or to her, if the individual believes that the record contains information which is not accurate, relevant, timely, or complete. The request shall be in writing, whether presented in person or by mail, shall state with specificity the record sought to be amended, and shall propose wording of the correction or amendment sought. The request shall be directed to the Privacy Protection Officer at the place, times, and in the manner specified in § 903.3 (a) and (b). Assistance in preparing a request to amend a record, or to appeal an initial adverse determination under § 903.3(a), may be obtained from the Privacy Officer, Pennsylvania Avenue Development Corporation, 1331 Pennsylvania Avenue, NW, Suite 1220 North, Washington, D.C. 20004.

(b) Not later than 10 days after the date of receipt of a request the Privacy Protection Officer will acknowledge it in writing. The acknowledgement will clearly describe the request, and if a determination has not already been made, will advise the individual when he or she may expect to be advised of action taken on the request. For requests presented in person, written acknowledgement will be provided at the time when the request is presented. No separate acknowledgement of receipt will be issued if the request can be reviewed and the individual advised of the results of the review within the 10 day period.

[42 FR 5973, Feb. 1, 1977, as amended at 50 FR 45824, Nov. 4, 1985]

§ 903.8 Review of request for amendment of record.

(a) Upon receipt of a request for amendment of a record the Privacy Protection Officer will promptly review the record and: Either (1) Amend any portion thereof which the individual believes is not accurate, relevant, timely, or complete; or (2) Inform the individual of refusal to amend the record in accordance with the request. In reviewing a record pursuant to a request to amend it, the Corporation will assess the accuracy, relevance, timeliness and completeness of the record in terms of the criteria established in 5 U.S.C. 522a(e)(5). In reviewing a record in response to a request to amend it by deleting information, the Corporation will ascertain whether or not the information is relevant and necessary to accomplish a purpose of the Corporation required to be accomplished by statute or by executive order of the President, as prescribed by 5 U.S.C. 522a(e)(1).

(b) The Corporation shall take the action specified in paragraph (a) of this section within 30 days of receipt of a request for amendment of a record, unless unusual circumstances preclude completion of the action within that time. If the expected completion date for the action, as indicated in the acknowledgement provided pursuant to § 903.5 cannot be met, the individual shall be advised of the delay and of a revised date when action is expected to be completed. If necessary for an accurate review of the record, the Corporation will seek, and the individual will supply, additional information in support of his or her request for amending the record.

(c) If the Corporation agrees with all or any portion of an individual's request to amend a record, the Corporation will so advise the individual in writing, and amend the record to the extent agreed to by the Corporation. Where an accounting of disclosures has been kept, the Corporation will advise all previous recipients of the record of the fact that the amendment was made and the substance of the amendment.

(d) If the Corporation disagrees with all or any portion of an individual's request to amend a record, the Corporation shall: (1) Advise the individual of its adverse determination and the reasons therefor, including the criteria used by the Corporation in conducting the review; (2) inform the individual that he or she may request a review of the adverse determination by the Executive Director of the Corporation, or by an officer of the Corporation designated by the Executive Director; and, (3) advise the individual of the procedures for requesting such a review including the name and address of the official to whom the request should be directed.

(e) If the Corporation is apprised by another agency of any corrections or other amendments made to a record contained in the Corporation's system of records, the Corporation will promptly amend its record and advise in writing all previous recipients of the record of the fact that the amendment was made and the substance of the amendment.

§ 903.9 Appeal of initial adverse determination of request for amendment of record.

(a) After receipt by an individual of notice of an adverse determination by the Privacy Protection Officer concerning a request to amend a record, the individual may, within 60 working days after the date of receipt of the notice, appeal the determination by seeking a review by the Executive Director of the Corporation, or by an officer of the Corporation designatd by him. The appeal shall be in writing, mailed or delivered to the Executive Director, Pennsylvania Avenue Development Corporation, 1331 Pennsylvania Avenue NW, Suite 1220 North, Washington, D.C. 20004. The appeal shall identify the record in the same manner as it was identified in the original request, shall indicate the dates of the original request and of the adverse determination and shall indicate the expressed basis for that determination. In addition, the appeal shall state briefly the reasons why the adverse determination should be reversed.

(b) Not later than 30 days after receipt of an appeal, the Executive Director, or an officer of the Corporation designated by him, will complete a review of the appeal and the initial determination, and either: (1) Determine that the appeal should be granted, take the appropriate action with respect to the record in question, and notify the individual accordingly; or, (2) determine that the appeal should be denied.

(c) The reviewing official may, at his or her option, request from the individual such additional information as is deemed necessary to properly conduct the review. If additional time is required, the Executive Director may, for good cause shown, extend the period for action beyond the 30 days specified above. The individual will then be informed in writing of the delay and the reasons therefor, and of the approximate date on which action is expected to be completed.

(d) If the reviewing official denies the appeal, he or she shall advise the individual in writing: (1) Of the decision and the reasons for reaching it; (2) that the denial of the appeal is a final agency action entitling the individual to seek judicial review in the appropriate district court of the United States, as provided in 5 U.S.C. 552a(g); and, (3) that the individual may file with the Corporation a concise statement setting forth the reasons for his or her disagreement with the refusal of the Corporation to amend the record in question.

(e) Any individual having received notices of a denial of an appeal to amend a record may file a statement of disagreement with the Executive Director not later than 60 working days from the date of receipt of the notice. Such statements shall ordinarily not exceed one page in length, and the Corporation reserves the right to reject statements of excessive length. Upon receipt of a proper and timely statement of disagreement, the Corporation will clearly annotate the record in question to indicate the portion of the record which is in dispute. In any subsequent disclosure containing information about which the individual has filed a statement of disagreement, the Corporation will provide a copy of the statement together with the record to which it pertains. In addition, prior recipients of the disputed record will be provided with a copy of statements of disagreement to the extent that an accounting of disclosures was maintained. If the Corporation deems it appropriate, it may also include in any disclosure its own concise statement of the reasons for not making the amendments requested.

[42 FR 5973, Feb. 1, 1977, as amended at 50 FR 45824, Nov. 4, 1985]

§ 903.10 Disclosure of records to persons or agencies.

(a) The Corporation will not disclose any record which is contained in a system of records, by any means of communication to any person or to another agency except: (1) Pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains; (2) to those officers and employees of the Corporation who have a need for the record in the performance of their duties; (3) when required under 5 U.S.C. 522 (The Freedom of Information Act); or (4) pursuant to the conditions of disclosure contained in 5 U.S.C. 552a(b)(3) through 5 U.S.C. 552a(b)(11).

(b) The Privacy Protection Officer of the Corporation shall keep an accounting of each disclosure made pursuant to paragraph (a)(4) of this section, in accordance with 5 U.S.C. 552a(c). Except for disclosures made pursuant to 5 U.S.C. 552a(b)(7), the Privacy Protection Officer shall make the accounting kept under this paragraph available to an individual to whom the record pertains, upon his or her request. An individual requesting an accounting of disclosures should do so at the place, times and in the manner specified in § 903.3 (a) and (b).

§ 903.11 Routine uses of records maintained in the system of records.

(a) It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when:

(1) The Corporation, or any component thereof; or

(2) Any employee of the Corporation in his or her official capacity; or

(3) Any employee of the Corporation in his or her individual capacity where the Department of Justice has hagred to represent the employee; or

(4) The United States, where the Corporation determines that litigation is likely to affect the Corporation or any of its components, is a party to litigation or an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Corporation to be relevant and necessary to the litigation, provided, however, that in each case, the Corporation determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

(b) It shall be a routine use of records maintained by the Corporation to disclose them in a proceeding before a court or adjudicative body before which the Corporation is authorized to appear when:

(1) The Corporation, or any component thereof; or

(2) Any employee of the Corporation in his or her individual capacity;

(3) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(4) The United States, where the Corporation determines that litigation is likely to affect the Corporation or any of its components is a party to litigation or has an interest in such litigation and the Corporation determines that use of such records is relevant and necessary to the litigation, provided, however, that, in each case,the Corporation determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

[52 FR 34384, Sept. 11, 1987; 52 FR 39224, Oct. 21, 1987]

§ 903.12 Fees for furnishing and reproducing records.

(a) Individuals will not be charged a fee for:

(1) The search and review of the record;

(2) Any copies of the record produced as a necessary part of the process of making the record available for access;

(3) Any copies of the requested record when it has been determined that access can only be accomplished by providing a copy of the record through the mail. The Privacy Protection Officer may provide additional copies of any record without charge when it is determined that it is in the interest of the Government to do so.

(b) Except as provided in paragraph (a) of this section, fees will be charged for the duplication of records at a rate of 10¢ per page. If it is anticipated that the total fee chargeable to an individual under this subpart will exceed $25, the Corporation shall promptly notify the requester of the anticipated cost. An advance deposit equal to 50% of the anticipated total fee will be required unless waived by the Privacy Protection Officer. In notifying the requester of the anticipated fee, the Privacy Protection Officer shall extend an offer to the requester to consult so that the request might be reformulated in a manner which will reduce the fee, yet still meet the needs of the requester.

(c) Fees must be paid in full prior to delivery of the requested copies. Remittances may be in the form of cash, personal check, bank draft or a postal money order. Remittances, other than cash shall be made payable to the Treasurer of the United States.

[42 FR 5973, Feb. 1, 1977. Redesignated at 52 FR 34384, Sept. 11, 1987; 52 FR 39224, Oct. 21, 1987]

§ 903.13 Penalties.

The provision of 5 U.S.C. 552a(i), as added by Section 3 of the Privacy Act, make it a misdemeanor subject to a maximum fine of $5,000, to knowingly and willfully request or obtain any record concerning an individual from an agency under false pretenses. Similar penalties attach for violations by agency officers and employees of the Privacy Act or regulations established thereunder.

[42 FR 5973, Feb. 1, 1977. Redesignated at 52 FR 34384, Sept. 11, 1987; 52 FR 39224, Oct. 21, 1987]

PENSION BENEFIT GUARANTY CORPORATION

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Prefatory Statement of General Routine Uses

The following routine uses, except for number 3, apply to and are incorporated by reference into each system of records set forth below except PBGC-9. Routine use number 3 applies to and is incorporated by reference into systems 1-5 and 7-8 set forth below. None of the routine uses apply to PBGC-9.

1. Routine Use—Law Enforcement: In the event that a system of records maintained by the PBGC to carry out its functions indicates a violation or potential violation of law, whether criminal, civil or regulatory in nature, and whether arising by general statute or particular program pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statue, or rule, regulation or order issued pursuant thereto.

2. Routine Use—Disclosure When Requesting Information: A record from this system of records may be disclosed as a routine use to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, if necessary to obtain information relevant to a PBGC decision concerning the hiring or retention of an employee, the issuance of a security clearance, or the letting of a contract.

3. Routine Use—Disclosure of Requested Information: A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

4. Routine Use—Disclosure During and in Anticipation of Litigation: A record from this system of records may be disclosed during litigation with the individual who is the subject of the record, including disclosure to all counsel in the course of discovery or settlement negotiations and during the presentation of evidence to a court, magistrate or administrative tribunal, or during proceedings in reasonable anticipation thereof.

5. Routine Use—Disclosure to OMB: A record contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

6. Routine Use—Congressional Inquiries: Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

PBGC-1

System name:

Correspondence Between PBGC and Persons Outside PBGC—PBGC.

System location:

Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006,

Categories of individuals covered by the system:

Individuals who have corresponded with PBGC and with divisions of the PBGC and individuals who have received replies in response to their correspondence with the PBGC.

Categories of records in the system:

Correspondence containing the name and address of the correspondent and other information regarding various aspects of the PBGC and Title IV of the Employee Retirement Income Security Act of 1974. Correspondence is kept by the Office Director to whom the correspondence was addressed or the Office Director who replied to the correspondent.

Authority for maintenance of the system:

29 U.S.C. 1302.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Used for regulatory purposes including use as evidence in proceedings before the PBGC and the courts.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained manually in file folders.

Retrievability:

Indexed by name of correspondent or plan.

Safeguards:

Records are kept in file cabinets in areas of restricted access which are locked after office hours.

Retention and disposal:

General requests for information involving no administrative action.

Policy decisions or special research are destroyed 3 months after reply.

Correspondence with regard to specific cases is transferred to the Federal Records Center one year after the end of the fiscal year in which the correspondence was received or sent, and destroyed when 15 years old. Correspondence with members of Congress is destroyed one year after the end of the fiscal year in which it is received or sent.

System manager(s) and address:

Office of Executive Director, Director of the Office of Financial Operations, Director of the Office of Information Management, Director of the Office of Program Operations, and General Counsel, Pension Benefit Guaranty Corporation, 2020 K Street NW, Washington, D.C. 20006.

Notification procedure:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

Record access procedures:

Same as notification procedure.

Contesting record procedures:

Same as notification procedure.

Record source categories:

Individuals writing to the PBGC and the PBGC responses.

PBGC-2

System name:

Disbursements—PBGC.

System location:

Pension Benefit Guaranty Corporation, 2020 K Street NW., Washington, D.C. 20006.

Categories of individuals covered by the system:

Consultants and vendors to PBGC.

Categories of records in the system:

Payment vouchers, including SF 1081.

Authority for maintenance of the system:

29 U.S.C. 1302.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Transmittal of data to United States Department of the Treasury to effect payments to consultants and vendors.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained manually in file folders.

Retrievability:

Indexed by name.

Safeguards:

Records are kept in lockable file cabinets in areas of restricted access which are locked after office hours.

Retention and disposal:

Records created after June 30, 1975 are destroyed 6 years and 3 months after date of voucher.

System manager(s) and address:

Controller, Office of Financial Operations, Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006.

Notification procedure:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

Record access procedures:

Same as notification procedure.

Contesting record procedures:

Same as notification procedure.

Record source categories:

Subject consultant or vendor.

PBGC-3

System name:

Employee Payroll, Leave and Attendance Records—PBGC.

System location:

Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006.

Categories of individuals covered by the system:

Employees of PBGC.

Categories of records in the system:

Names; address; social security number and employee number, earnings records; leave status and data; jury duty data; military leave data; time and attendance records, including number of regular, overtime, holiday, Sunday and other hours worked, co-owner and/or beneficiary of bonds, marital status and number of dependents; and "Notification of Personnel Action". The individual records listed herein are included only as pertinent or applicable to the individual employee.

Authority for maintenance of the system:

29 U.S.C. 1302.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Transmittal of data to United States Department of Labor to effect issuance of paychecks to employees and distribution of pay according to employee directions for savings bonds, allotments, financial institutions, and other authorized purposes, to effect tax withholdings and other authorized deductions, and for statistical purposes.
2. Pursuant to Title VII of the Civil Service Reform Act, pertinent records from this system may be furnished to a labor organization upon its request when needed by that organization to perform its duties as the recognized collective bargaining representative of PBGC employees in the bargaining unit.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained manually in file folders and in machine readable form.

Retrievability:

Indexed by name and/or employee or social security number.

Safeguards:

Records are kept in lockable file cabinets in areas of restricted access which are locked after office hours. Magnetic tapes and computer records are kept under restricted access.

Retention and disposal:

Payroll Records are transferred to the National Personnel Records Center and destroyed 56 years after date of last entry.

Leave and Attendance Records are destroyed three years after the close of the leave year.

System manager(s) and address:

Controller, Office of Financial Operations, Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006.

Notification procedure:

Procedures are detailed in PBGC regulations: 29 CFR Part 2807.

Record access procedures:

Same as notification procedure.

Contesting record procedures:

Same as notification procedure.

Record source categories:

Subject individual and Office of Personnel Management.

PBGC-4

System name:

Employee Travel Records—PBGC.

System location:

Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington D.C. 20006.

Categories of individuals covered by the system:

Employees of PBGC who have filed travel vouchers and related documents.

Categories of records in the system:

Travel vouchers and related documents filed by employees of PBGC.

Authority for maintenance of the system:

29 U.S.C. 1302.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Transmittal of data to United States Department of Treasury to effect reimbursement to employees for travel expenses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained manually in file folders.

Retrievability:

Indexed by name.

Safeguards:

Records are kept in file cabinets in areas of restricted access which are locked after office hours.

Retention and disposal:

Retained for 3 years and then destroyed.

System manager(s) and address:

Controller, Office of Financial Operations, Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006.

Notification procedure:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

Record access procedures:

Same as notification procedure.

Contesting record procedures:

Same as notification procedure.

Record source categories:

PBGC employee executing vouchers.

PBGC-5

System name:

Personnel Records—PBGC.

System location:

Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006.

Categories of individuals covered by the system:

Employees and applicants for employment with PBGC.

Categories of records in the system:

Personnel records that the PBGC maintains, including applications and related information for attorneys maintained by the Office of the General Counsel. (Records included in the Permanent Official Personnel File are maintained as a system of records by the Office of Personnel Management and are not included in this system of records).

Authority for maintenance of the system:

29 U.S.C. 1302.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. These records are used to carry out authorized personnel programs.
2. Pursuant to Title VII of the Civil Service Reform Act records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of PBGC employees in the bargaining unit.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained manually in file folders and in machine readable form.

Retrievability:

Indexed by name.

Safeguards:

Records are kept in areas of restricted access which are locked after office hours. Magnetic tapes and computer records are kept under restricted access.

Retention and disposal:

Temporary Personnel File records are destroyed when the employee leaves PBGC or one year after the file was established, whichever is sooner. Applications for employment are destroyed after the receipt of Office of Personnel Management inspection report or 2 years after date of application, whichever is sooner. Applications for training are destroyed 5 years after date of application.

System manager(s) and address:

Chief, Division of Personnel Programs and Services, Office of Management Services, Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006, and the Management Officer, Office of the General Counsel, Pension Benefit Guaranty Corporation, Suite 7200, 2020 K Street, NW, Washington, D.C. 20006.

Notification procedure:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

Record access procedures:

Same as notification procedure.

Contesting record procedures:

Same as notification procedure.

Record source categories:

Subject individuals, present and past employers, references given by subject individuals and responses to security investigations.

Systems exempted from certain provisions of the act:

This system is exempt from access and contest and certain other provisions of the Privacy Act 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H) and (I), and (f), to the extent it includes material which would reveal the identity of a source who furnished information to the PBGC under an express promise that the identity of the source would be held in confidence or prior to September 27, 1975, was provided to the PBGC under an implied promise of confidentiality.

PBGC-6

System name:

Plan Participant and Beneficiary Data—PBGC.

System location:

Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006.

Categories of individuals covered by the system:

Participants and beneficiaries in terminated pension plans covered by Title IV of the Employee Retirement Income Security Act of 1974.

Categories of records in the system:

Records contain name, address, telephone number, sex, social security number and other social security data, date of birth, date of hire, salary, marital status, time of plan participation, participant status, pay status, benefit data, health data, and insurance information where plan benefits are guaranteed by private insurers. The individual records listed herein are included only as pertinent or applicable to the individual plan participant or beneficiary.

Authority for maintenance of the system:

29 U.S.C. 1302, 1322 and 1341.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosed to third parties, such as banks, insurance companies and trustees, for the purpose of paying benefits to plan participants and beneficiaries.

2. Disclosure, in furtherance of proceedings under Title IV of the Employee Retirement Income Security Act of 1974, of plan participant and beneficiary data to an employer who maintained the plan, including any predecessor or successor employers and to any member of a controlled group of which the employer is a part.

3. Disclosure may be made to an official of a labor organization which is the duly recognized collective bargaining representative of the individual about whom the request is made.

4. Disclosure of names, addresses and telephone numbers of participants and beneficiaries and of information pertaining to debts of such participants and beneficiaries may be made to a debt collection firm or agency to collect a claim. Disclosure shall be made only under a contract with the PBGC which properly binds any such contractor or employee of any such contractor to the criminal penalties of the Privacy Act. The information so disclosed shall be used exclusively pursuant to the terms and conditions of such contract and shall be used solely for the purposes prescribed therein. The contract shall provide that the information so disclosed shall be returned to the PBGC at the conclusion of the debt collection effort.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained manually in file folders and in machine readable form.

Retrievability:

Indexed by plan and participant and/or beneficiary name.

Safeguards:

Manual records are maintained in lockable file cabinets which are locked after office hours, in areas of restricted access. Magnetic tapes and computer records are kept under restricted access.

Retention and disposal:

Records for vested plan participants are destroyed one year after final payment to, or death of, the last participant and/or beneficiary in the plan. Records for nonvested plan participants are destroyed 7 years after written notification to the participant.

System manager(s) and address:

Director, Benefit Payments Department, Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006.

Notification procedure:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

Record access procedures:

Same as notification procedure.

Contesting record procedures:

Same as notification procedure.

Record source categories:

Plan administrators and Social Security Administration.

PBGC-7

System name:

Equal Employment Opportunity Discrimination Complaints—PBGC.

System location:

Pension Benefit Guaranty Corporation, Equal Employment Opportunity Office, Room 4300-A, 2020 K Street, NW, Washington, D.C. 20006.

Categories of individuals covered by the system:

PBGC employee and applicant complainants.

Categories of records in the system:

Records contain names, work locations, dates, Social Security numbers, and other information as included on affidavits, interviews, informal and formal discrimination complaint reports and investigative files of complaints.

Authority for maintenance of the system:

29 CFR Part 1613.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Purpose—Used by EEO Officer, staff of Equal Employment Opportunity Commission, staff of the Merit System Protection Board, Complaints examiners, Contract EEO investigators, PBGC EEO investigators and PBGC EEO counselors to investigate complaints of alleged discrimination and to evaluate the effectiveness of the EEO program:

Use—

1. Disclosed to complainant's representative.

2. Portions may be disclosed to the alleged discriminating official and his/her representative.

3. Disclosed to Equal Employment Opportunity Commission and Merit System Protection Board to carry out authorized investigations, to adjudicate appeals and discrimination complaints, and make recommendations regarding discrimination complaints.

4. Disclosed to Contract EEO investigators.

5. Disclosed to the United States Attorney's Office for the purpose of preparing for or conducting litigation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained manually in file folders, binders and marked exhibits.

Retrievability:

Indexed by complainant's name.

Safeguards:

Records are kept in lockable file cabinets which are locked after office hours in rooms with restricted access.

Retention and disposal:

An official Discrimination Complaint case file which is resolved in the agency by EEOC or by a United States Court is destroyed 4 years after the resolution of the case. The background record is destroyed 2 years after the resolution of the case.

System manager(s) and address:

Equal Employment Opportunity Officer, Division of Personnel Programs and Services, Office of Management Services, Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006.

Notification procedure:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

Record access procedures:

Same as notification procedure.

Contesting record procedures:

Same as notification procedure.

Record source categories:

Information is received from the complainants, respondent and from investigations and interviews.

PBGC-8

System name:

Employee Adverse Action Files—PBGC.

System location:

Pension Benefit Guaranty Corporation, 2020 K Street, NW., Washington, D.C. 20006.

Categories of individuals covered by the system:

PBGC employees against whom an adverse action covered by this system has been initiated, or a PBGC employee who has initiated a grievance.

Categories of records in the system:

Notice to employees of disciplinary actions, performance warning letters, adverse actions, reductions-in-force, employees' replies to notices, employees' notice of grievance, employees' notice of appeal, records of hearing proceedings, appeal decisions and rebuttals, notice of action, investigative reports and related information.

Authority for maintenance of the system:

5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Purpose—

Provide a record keeping system, (1) for grievances and related appeals filed by an employee who alleges his rights regarding compensation, benefits, or other terms and conditions of employment have been adversely affected and, (2) for adverse actions brought against a PBGC employee.

Use—

1. Disclosed to employee's representative.
2. Disclosed to the Office of Personnel Management and Merit Systems Protection Board to carry out their authorized functions.
3. Pursuant to Title VII of the Civil Service Reform Act, records from this system may be furnished to a labor organization upon its request when needed by the organization to perform properly its duties as the collective bargaining representative of PBGC employees in the bargaining unit.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information is retained manually in file folders.

Retrievability:

Indexed by employee name.

Safeguards:

Records are kept in lockable file cabinets which are locked after office hours in areas of restricted access.

Retention and disposal:

Grievance files are destroyed 3 years after the case is closed. Adverse action files are destroyed 4 years after the case is closed.

System manager(s) and address:

Director of Division of Personnel Programs and Services, Office of Mangement Services, Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006.

Notification procedure:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

Record access procedures:

Same as notification procedure.

Contesting record procedures:

Same as notification procedure.

Record source categories:

Information is received from an employee who initiates a grievance, or against whom an adverse action is initiated, employee's supervisors, and other PBGC employees and from investigations and interviews.

PBGC-9

System name:

Plan Participant and Beneficiary Address Identification File—PBGC.

System location:

Pension Benefit Guaranty Corporation, 2020 K Street, NW., Washington, D.C. 20006.

Categories of individuals covered by the system:

Certain plan participants and beneficiaries in pension plans covered by Title IV of ERISA.

Categories of records in the system:

Records contain name, social security number, name of pension plan, and address received from the Internal Revenue Service.

Authority for maintenance of the system:

29 U.S.C. 1302, 1322 and 1341, 26 U.S.C. 6103.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Disclosure may be made only to the extent permitted by 26 U.S.C. 6103 and 26 CFR 404.6103, except that names and social security numbers of plan participants and beneficiaries may be disclosed to the Social Security Administration in order to utilize the Social Security Administration's Letter Forwarding Service.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained manually in file folders.

Retrievability:

Indexed by participant or beneficiary name and social security number.

Safeguards:

Records are kept in locked file cabinets in areas of restricted access under procedures that meet Internal Revenue Service safeguarding standards, except that records of the name and social security number of the participant or beneficiary may be released to the Social Security Administration pursuant to the routine uses of this system.

Retention and disposal:

Records for participants in PBGC trusteed plans for which the address is verified are transferred to PBGC-6 on verification or on further verification through the Social Security Administration's Letter Forwarding Service. Record for which IRS has no address, for which the address was not verified or was not further verified through the Social Security Administration's Letter Forwarding Service, and records for participants in sufficient plans or plans with a third-party trustee will be retained for two years from the date the request was sent to the Internal Revenue Service and then will be sent to Internal Revenue Service for disposal or destroyed.

System manager(s) and address:

Director, Benefit Payments Department, Pension Benefit Guaranty Corporation, 2020 K Street, NW., Washington, D.C. 20006.

Notification procedure:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

Record access procedures:

Same as Notification Procedure.

Contesting record procedures:

Same as Notification Procedure.

Record source categories:

Information is received from the Internal Revenue Service.

PBGC-10

System name:

Administrative Appeals File—PBGC.

System location:

Pension Benefit Guaranty Corporation, 2020 K Street, NW., Washington, D.C. 20006.

Categories of individuals covered by the system:

Plan participants and beneficiaries in terminated pension plans covered by Title IV of ERISA who have filed appeals with PBGC pursuant to 29 CFR 2606.1(b) (5), (6), (7), and (8), Rules for Administrative Review of Agency Decisions.

Categories of records in the system:

Records contain the name of pension plan, name of the participant or beneficiary and personal information such as address, social security number, sex, date of birth, date of hire, salary, marital status, medical records, date of commencement of plan participation or employment, statements regarding employment, date of termination of plan participation or retirement, benefit payment data, pay status, Social Security Administration determinations, insurance claims and awards, workman's compensation awards, correspondence relating to the Appeal, calculations of benefit amounts, calculations of amounts subject to recapture, and final determination of the Appeals Board. The individual records listed herein are included only as pertinent or applicable to the individual plan participant or beneficiary.

Authority for maintenance of the system:

Secs. 4002, 4022, 4041 and 4045, Pub. L. 93-406, 88 Stat. 1004, 1016, 1020, 1027, (1974), as amended by secs. 403(1), 406(a), 403(c) and 403(d), Pub. L. 96-364, 94 Stat. 1302, 1303, 1301, (1980) (29 U.S.C. 1302, 1322, 1341 and 1345).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. Disclosed to third parties who will be aggrieved by the decision of the Appeals Board under 29 CFR 2606.58, including disclosure to the employer who maintained the plan, including any predecessor or successor employer and to any member of a controlled group of which the employer is a part.
2. Disclosed to a representative of a participant or beneficiary who has a power of attorney, if necessary under 29 CFR 2606.6, including an official of a labor organization which is the duly-recognized collective bargaining representative of the individual about whom the request is made.
3. Disclosed to third parties, such as banks, insurance companies and trustees, for the purpose of paying benefits to plan participants and beneficiaries.
4. Disclosed to third parties, such as contractors and expert witnesses, for the purpose of providing expert analysis of the appeal.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained manually in file folders and in machine readable form.

Retrievability:

Indexed by participant or beneficiary name, plan name, and appeals number.

Safeguards:

Manual records are kept in areas of restricted access and in lockable file cabinets which are locked after office hours. Magnetic tapes and computer records are kept under restricted access.

Retention and disposal:

Records are proposed to be retained for a closed file for two fiscal years after the Appeals Board's final opinion is issued, transferred to a Federal Records Center and destroyed 6 years later.

System manager(s) and address:

Clerk of the Appeals Board, Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006.

Notification procedure:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

Record access procedures:

Same as notification procedure.

Contesting record procedures:

Same as notification procedure.

Record source categories:

Information may be received from the Plan Administrator, the Plan Sponsor, the employer who maintained the plan, the labor organization which is the duly-recognized collective bargaining representative of the participant, the Social Security Adminstration and the participant and/or beneficiary.

PBGC-11

System name:

Call Detail Records—PBGC.

System location:

Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, DC 20006.

Categories of individuals covered by the system:

Employees, contract employees and consultants of the PBGC and officials of the labor organization representing PBGC employees who have made long distance or other toll calls from PBGC telephones.

Categories of records in the system:

Records relating to use of PBGC telephones to place long distance and other toll calls; records indicating assignment of telephone extension numbers to employees and other covered individuals; records relating to location of telephone extensions.

Authority for maintenance of the system:

29 U.S.C. 1302.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. General Routine Uses 1, 3, 4 and 6 of the PBGC's Prefatory Statement of General Routine Uses apply to this system. These General Routine Uses were published at 47 FR 58404.
2. Records and data may be disclosed to employees, contract employees and consultants of the PBGC and officials of the labor organization representing PBGC employees to determine their individual responsibility for telephone calls, but only to the extent that such disclosures consist of comprehensive lists of called numbers and length of calls.
3. Pursuant to Title VII of the Civil Service Reform Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of PBGC employees in the bargaining unit.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12):

Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained manually in file folders, in machine readable form, and on floppy disks.

Retrievability:

Records are retrieved by name of employee or other covered individual or telephone extension number, or by telephone number called.

Safeguards:

Manual and machine readable records are maintained in filing cabinets or offices in areas of restricted access that are locked after office hours; floppy disks are locked in a vault with limited access in an office that is locked after office hours.

Retention and disposal:

Records are retained for 3 years and then destroyed.

System manager(s) and address:

Manager, Office Services Division, Human Resources and Support Services Department, Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, DC 20006.

Notification procedure:

Procedures are detailed in PBGC regulations: 29 CFR Part 2607.

Record access procedures:

Same as notification procedure.

Contesting record procedures:

Same as notification procedure.

Record source categories:

Telephone assignment records; call detail listings; private telephone billing information.

Title 29-Labor

Chapter XXVI-Pension Benefit Guaranty Corporation

PART 2607—DISCLOSURE AND AMENDMENT OF RECORDS UNDER THE PRIVACY ACT

Sec.
2607.1 Purpose and scope.
2607.2 Definitions.
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2607.8 Appeal of a denial of a request for amendment of a record.
2607.9 Fees.
2607.10 Specific exemptions.

Authority: 5 U.S.C. 552a; Pub. L. 93–406, 88 Stat. 829.

Source: 40 FR 46054, Oct. 3, 1975, unless otherwise noted.

§ 2607.1 Purpose and scope.

(a) The purpose of this part is to establish procedures whereby an individual can determine whether the PBGC maintains any system of records which contains a record pertaining to the individual, procedures to effect access to an individual's record upon his request, procedures for making requests to amend records and for making the initial determinations on such requests and for appealing denials of such requests. This part also sets forth the fees that shall be charged for making copies of an individual's record. Finally, this part sets forth those systems of records which are exempted from the provisions of this part.

(b) This part applies to each system of records maintained by the PBGC, unless exempted by this part.

§ 2607.2 Definitions.

As used in this part—

(a) The term "disclosure officer" means the designated official in the Office of the Executive Director of the Pension Benefit Guaranty Corporation.

(b) The term "PBGC" means the Pension Benefit Guaranty Corporation.

(c) The term "record" means any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph.

(d) The term "system of records" means a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

(e) The term "working day" means any weekday excepting Federal holidays.

[40 FR 46054, Oct. 3, 1975, as amended at 46 FR 7959, Jan. 26, 1981]

§ 2607.3 Procedures for determining existence of records.

(a) Any individual who desires to know whether a system of records maintained by the PBGC contains any record pertaining to him shall submit a written request to that effect either by mail to the Disclosure Officer, Office of the Executive Director, Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006, or in person between the hours of 9 a.m. and 4 p.m. on any working day at the Office of the Executive Director, Pension Benefit Guaranty Corporation, 2020 K Street NW., Washington, D.C.20006.

(b) Each request submitted pursuant to paragraph (a) of this section shall include the name of the system of records to which the request pertains, the requestor's full name, home address and date of birth and shall clearly state on the envelope and on the request "Privacy Act Request." If this information is insufficient to enable the PBGC to identify the record in question, the disclosure officer shall request such further identifying data as he deems necessary to locate the record.

(c) In any case where notification of the existence of a record is not required under the Freedom of Information Act (5 U.S.C. 552), the requestor shall be required to provide verification of his identity to the PBGC as set forth in paragraph (c) (1) or (2) of this section, as appropriate.

(1) When the request is made by mail, the requestor shall be required to submit a notarized statement asserting his identity.

(2) When the request is made in person, the requestor shall be required to show identification satisfactory to the disclosure officer, such as drivers' licenses, employee identification, annuitant identification or Medicare cards.

(d) Within 10 working days after receipt of a request pursuant to paragraph (a) of this section or receipt of such additional information as may be required pursuant to paragraph (b) of this section, the disclosure officer shall notify the requestor in writing whether the PBGC maintains any system of records containing a record pertaining to the requestor.

[40 FR 46054, Oct. 3, 1975, as amended at 46 FR 7959, Jan. 26, 1981]

§ 2607.4 Procedures for requesting access to records

(a) Any individual who desires to obtain access to a record pertaining to him contained in a system of records maintained by the PBGC shall submit a written request to that effect either by mail to the Disclosure Officer, Office of the Executive Director, Pension Benefit Guaranty Corporation, 2020 K Street, NW., Washington, D.C. 20006, or in person between the hours of 9 a.m. and 4 p.m. on any working day at the Office of the Executive Director, Pension Benefit Guaranty Corporation, 2020 K Street NW., Washington, D.C. 20006

(b) Each request submitted pursuant to paragraph (a) of this section shall include the name of the system of records to which the request pertains, the requestor's full name, home address and date of birth and shall clearly state on the envelope and on the request "Privacy Act Request." If this information is insufficient to enable the PBGC to identify the record for which access is sought, the disclosure officer shall request such further identifying data as he deems necessary to locate the record.

(c) Each individual seeking access to records under this section shall be required to provide verification of his identity to the PBGC as set forth in paragraph (c)(1) or (2) of this section, as appropriate.

(1) When the request for access is made in person, the requestor shall be required to show identification satisfactory to the disclosure officer, such as drivers' licenses, employee identification, annuitant identification, or Medicare cards.

(2) When the request for access is made by mail, the requestor shall be required to submit a notarized statement asserting his identity.

(d) Within 10 working days after receipt of a request for access under this section, the disclosure officer shall notify the requestor in writing whether he will be granted access to the requested records and, if so, when such access will be granted.

[40 FR 46054, Oct. 3, 1975, as amended at 46 FR 7959, Jan. 26, 1981]

§ 2607.5 Disclosure of record to an individual.

(a) When the disclosure officer grants a request for access to records made pursuant to § 2607.4, such records shall be made available at the time the requestor is advised of such determination or as promptly thereafter as possible. At the requestor's option, the record will be made available for his inspection and/or copying at the Office of the Executive Director. Pension Benefit Guaranty Corporation, 2020 K Street NW., Washington, D.C.20006, between the hours of 9 a.m. and 4 p.m. on any working day or a copy of the record will be mailed to him.

(b) When the requestor desires to be accompanied by an individual of his choosing during the inspection and/or copying of his record, he shall submit to the disclosure officer a signed statement identifying the person he wishes to accompany him and authorizing such person to be present during the inspection and/or copying of his record either at the time the record is made available to him or at any time prior thereto.

[40 FR 46054, Oct. 3, 1975, as amended at 46 FR 7959, Jan. 26, 1981]

§ 2607.6 Procedures for requesting amendment of a record.

(a) Any individual about whom the PBGC maintains a record contained in a system of records may request that the record be amended. Such request shall be submitted in writing either by mail to the Disclosure Officer, Office of the Executive Director, 2020 K Street, NW, Washington, D.C. 20006, or in person between the hours of 9 a.m. and 4 p.m. on any working day at the Office of the Executive Director, Pension Benefit Guaranty Corporation, 2020 K Street NW., Washington, D.C. 2006.

(b) Each request submitted pursuant to paragraph (a) of this section shall include the name of the system of records in which the record is contained, the requestor's full name, home address and date of birth, and a statement specifying the changes to be made in the record and the justification therefor. Both the envelope and the request shall clearly state "Privacy Act Request". If this information is insufficient to enable the PBGC to identify the record in question the disclosure officer shall request such further identifying data as he deems necessary to locate the record.

(c) An individual who desires assistance in the preparation of his request for amendment of his record shall submit such request for assistance in writing to the Deputy General Counsel, Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006. The Deputy General Counsel shall respond to such request as promptly as possible.

[40 FR 46054, Oct. 3, 1975, as amended at 46 FR 7959, Jan. 26, 1981]

§ 2607.7 Action on request for amendment of a record.

(a) Within 20 working days after the date of receipt by the PBGC of a request for amendment of a record pursuant to § 2607.6, unless for good cause shown the Executive Director of the PBGC extends such 20–day period, the disclosure officer shall notify the requestor in writing whether and to what extent the request shall be granted. To the extent that the request is granted, the disclosure officer shall cause the requested amendment to be made promptly.

(b) When a request for amendment of a record is denied in whole or in part, the denial shall include a statement of the reasons therefor, the procedures for appealing such denial, and a statement advising the requestor of his right to obtain assistance in preparing an appeal of the denial.

(c) An individual who desires assistance in the preparation of his appeal of a denial under this section shall submit his request in writing to the Deputy General Counsel, Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006. The Deputy General Counsel shall respond to such requests as promptly as possible, but in no event more than 30 days after receipt of the request.

[40 FR 46054, Oct. 3, 1975, as amended at 46 FR 7959, Jan. 26, 1981]

§ 2607.8 Appeal of a denial of a request for amendment of a record.

(a) An appeal from a denial of a request for amendment of a record under § 2607.7 shall be submitted within 45 days of receipt of such denial to the General Counsel, Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006, unless the record subject to such request is one maintained by the Office of the General Counsel, in which event the appeal shall be submitted to the Deputy Executive Director. The appeal shall state in detail the basis on which it is made and both the envelope and the appeal shall clearly state "Privacy Act Request".

(b) Within 30 working days after the receipt of the appeal, unless for good cause shown the Executive Director of the PBGC extends such 30–day period, the General Counsel or, where appropriate, the Deputy Executive Director, shall issue a decision in writing granting or denying the appeal in whole or in part. To the extent that the appeal is granted, the General Counsel or, where appropriate, the Deputy Executive Director, shall cause the requested amendment to be made promptly. To the extent that the appeal is denied, the decision shall set forth the reasons for such denial and shall notify the requestor of his right to submit a brief statement setting forth his reasons for disputing the denial of appeal and to seek judicial review of the denial pursuant to 5 U.S.C. 552a(g)(1)(A) and to obtain further information concerning the provisions for judicial review under that section.

(c) An individual whose appeal has been denied in whole or in part may submit a brief summary statement setting forth his reasons for disputing such denial. Such statement shall be submitted within 30 days of receipt of the denial of his appeal to the Disclosure Officer, Office of the Executive Director, Pension Benefit Guaranty Corporation, 2020 K Street, NW, Washington, D.C. 20006. Any such statement shall be made available by the PBGC to anyone to whom the record is subsequently furnished and may also be accompanied, at the discretion of the PBGC, by a brief statement summarizing the PBGC's reasons for refusing to amend the record. The PBGC shall also provide copies of the individual's statement of dispute to all prior recipients of the record with respect to whom an accounting of the disclosure of the record was maintained pursuant to 5 U.S.C. 552a(c)(1).

(d) If an individual requests further information concerning the provisions for judicial review, he shall submit such request in writing to the Deputy General Counsel and he shall respond to such request as promptly as possible.

[40 FR 46054, Oct. 3, 1975, as amended at 45 FR 7959, Jan. 26, 1981]

§ 2607.9 Fees.

When an individual requests a copy of his record under § 2607.5 charges for the copying shall be made according to the following fee schedule:

(a) *Standard copying fee.* There shall be a charge of $0.10 per page of record copies furnished. Where the copying fee is less than $1.00, it shall not be assessed.

(b) *Voluminous material.* If the volume of page copy desired by the requestor is such that the reproduction charge at the standard page rate would be in excess of 50 dollars, the individual desiring reproduction may request a special rate quotation from the PBGC.

(c) *Manual copying by requestor.* No charge will be made for manual copying by the requestor of any document made available for inspection under § 2607.5. The PBGC shall provide facilities for such copying without charge between the hours of 9 a.m. and 4 p.m. on any working day.

best copy available

§ 2607.10 Specific exemptions.

Under the authority granted by 5 U.S.C. 552a(k)(5), the PBGC hereby exempts the system of records entitled "Personnel Records—PBGC" from the provisions of 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f), to the extent that the disclosure of such material would reveal the identity of a source who furnished information to PBGC under an express promise that the identity of the source would be held in confidence or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence.

The reasons for asserting this exemption are to insure the gaining of information essential to determining suitability for employment, to insure that full and candid disclosures are obtained in making such determinations, to prevent subjects of such determinations from thwarting the completion of such determinations, and to avoid revelation of the identities of persons who have furnished or will furnish information to PBGC in confidence.

[42 FR 26975, May 26, 1977]

PERSONNEL MANAGEMENT OFFICE

OPM Systems of Records:

- OPM/Internal-1 Defense Mobilization Emergency Cadre Records.
- OPM/Internal-2 Negotiated Grievance Procedure Records.
- OPM/Internal-3 Security Office Control Files.
- OPM/Internal-4 Employee Occupational, Health Program Records.
- OPM/Internal-5 Pay, Leave, and Travel Records.
- OPM/Internal-6 Appeal and Administrative Review Records.
- OPM/Internal-7 Complaints and Inquiries Records.
- OPM/Internal-8 Employee Counseling Services Program Records.
- OPM/Internal-9 Employee Locator Card Files.
- OPM/Internal-10[Reserved]
- OPm/Internal-11[Reserved]
- OPM/Internal-12 Speaker Resume Records.
- OPM/Internal-13 Motor Vehicle Operator and Accident Report Records.
- OPM/Internal-14 Administrative Grievance Records.
- OPM/Central-1 Civil Service Retirement and Insurance Records
- OPM/Central-2 Complaints and Inquiries Records.
- OPM/Central-3 Federal Executive and SES Candidate Development Programs Records.
- OPM/Central-4 Inspector General Investigations Case Files.
- OPM/Central-5 Intergovernmental Personnel Act Assignment Records.
- OPM/Central-6 Administrative Law Judge Application Records.
- OPM/Central-7 Litigation and Claims Records.
- OPM/Central-8 Privacy Act/Freedom of Information Act (PA/FOIA) Case Records.
- OPM/Central-9 Personnel Investigations Records.
- OPM/Central-10 Directory of Federal Executive Institute Alumni.
- OPM/Central-11 Presidential Management Intern Program Records.
- OPM/Central-12 Survey Information Records.
- OPM/Central-13 Senior Executive Service Records.
- OPM/GOVT-1 General Personnel Records.
- OPM/GOVT-2 Employee Performance File System Records.
- OPM/GOVT-3 Records of Adverse Actions and Actions Based on Unacceptable Performance.
- OPM/GOVT-4 Executive Branch Public Financial Disclosure Reports and Other Ethics Program Records.
- OPM/GOVT-5 Recruiting, Examining, and Placement Records
- OPM/GOVT-6 Personnel Reserach and Test Validation Records.
- OPM/GOVT-7 Applicant Race, Sex, National Origin, and Disability Status Records.
- OPM/GOVT-8 Confidential Statements of Employment and Financial Interests.
- OPM/GOVT-9 Files on Position Classification Review Requests (Appeals) and Grade and Pay Retention Appeals.
- OPM/GOVT-10 Employee Medical File System Records.

OPM/INTERNAL—1

System name:

Defense Mobilization Emergency Cadre Records.

System location:

Office of Management, Administration Group, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

Categories of individuals covered by the system:

Office of Personnel Management employees who are members of the Defense Mobilization Cadre.

Categories of records in the system:

The records contain the name, address, telephone number, and private automobile information on each member of the Defense Mobilization Cadre.

Authority for maintenance of the system:

Federal Civil Defense Act of 1950 and Executive Order 11490.

Purpose(s):

These records serve to identify and register members of the two emergency cadres. The originals and one copy of the records are maintained in the OPM's Mobilization Office files (alphabetically and by cadre) for administrative purposes. The third copy is sent to the OPM Relocation Site for use in granting access to the site in the event cadre members must relocate under emergency conditions. The records are a source of personal data for preparation of Federal Employee Emergency Identification Cards, carried by cadre members to facilitate necessary travel under emergency conditions and formation of carpools as might be practical in the event of an emergency.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the Office of Personnel Management becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. By the National Archives and Records Administration in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

c. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

d. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is party to a judicial proceeding or in order to comply with the issuance of a subpoena.

e. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on cards.

Retrievability:

Records are retrieved by individual name and emergency cadre.

Safeguards:

Records are maintained in a secured area and are available only to authorized personnel whose duties require access.

Retention and disposal:

Records are maintained as long as the individual is an emergency cadre member. Expired records are burned.

System manager(s) and address:

Director, Office of Management, Administration Group, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

Notification procedure:

Office employees wishing to inquire whether this system of records contains information about them should contact the system manager indicated above. Individuals must furnish their full names for their records to be located and identified.

Record access procedures:

Office employees wishing to request access to records about them should contact the system manager indicated above. Individuals must furnish their full names for their records to be located and identified.

An individual requesting access must also follow the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201-and 297.203).

Contesting record procedures:

Since all record information is provided by the individual employee who is the subject of the record, most record corrections can be handled through established administrative procedures for updating the records. However, Office employees wishing to contest records about them under provisions of the Privacy Act should contact the system manager indicated above. Individuals must furnish their full names for the records to be located and identified.

An individual requesting amendment must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Information is provided by the individual Office employee who is the subject of the record.

OPM/INTERNAL—2

System name:

Negotiated Grievance Procedure Records.

System location:

Office of Personnel, Administration Group, Office of Personnel Management, 1900 E Street, NW., Washington, D.C. 20415, and OPM regional administrative offices. (See list of OPM regional office addresses in the Appendix.)

Categories of individuals covered by the system:

Current and former OPM employees who file grievances under a negotiated grievance procedure.

Categories of records in the system:

This system contains a variety of records relating to an employee's grievance filed under procedures established by labor-management negotiations. The Records may include information such as: Employee's name, social security number, grade, job title, employment history, arbitrator's decision or report, record of appeal to Federal Labor Relations Authority, and a variety of employment and personnel records associated with the grievance.

Authority for maintenance of the system:

Section 7121, title 5, U.S. Code.

Purpose(s):

These records are used to process an employee's grievance filed under a negotiated grievance procedure.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. By the Department of Labor in carrying out its functions regarding labor management relations in the Federal service.

b. To disclose information to officials of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting working conditions.

c. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the Office of Personnel Management becomes aware of a violation or potential violation of civil or criminal law or regulation.

d. To disclose information to any source from which additional information is requested in the course of resolving a grievance, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and to identify the type of information requested.

e. To provide information to a congressional office from the record of an individual in response to a request from that congressional office made at the request of that individual.

f. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

g. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

h. By the Office of Personnel Management in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

i. To disclose in response to a request for discovery or for appearance of a witness information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

j. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions e.g., as promulgated in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

k. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines of Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

l. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders.

Retrievability:

These records are retrieved by the names of the individuals on whom they are maintained.

Safeguards:

These records are located in lockable metal filing cabinets to which only authorized personnel have access.

Retention and disposal:

These records are disposed of three years after the close of the fiscal year in which a final decision was issued. Disposal is by shredding or burning.

System manager(s) and address:

Director, Office of Personnel, Administration Group, Office of Personnel Management, 1900 E. Street, NW, Washington, D.C. 20415.

Notification procedure:

Individuals who file a grievance under a negotiated procedure are aware of that fact and have been provided access to the record. They may, however, contact the system manager indicated above, or the OPM regional office where the grievance was processed (see list of OPM regional office addresses in the Appendix), regarding the existence of such records about them. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Date of birth.
c. Approximate date of closing of the grievance.
d. Organizational component involved.

Record access procedures:

Individuals who file a grievance under a negotiated grievance procedure are aware of that fact and have been provided access to the record. However, after the grievance has been closed, an individual may request access to the official copy of the grievance record by writing the appropriate system manager or OPM regional office, as indicated in the Notification procedure section. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Date of birth.
c. Approximate date of closing of the grievance.
d. Organizational component involved.

Individuals requesting access must also follow the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Review of requests from individuals seeking amendment of their records which have previously been or could have been the subject of a judicial or quasi-judicial action will be limited in scope. Review of amendment requests of these records will be restricted to determining if the record accurately documents the action of the agency or administrative body ruling on the case and will not include a review of the merits of the action, determination, or finding.

Individuals wishing to request amendment of their records to correct factual errors should contact the appropriate system manager or OPM regional office indicated in the Notification procedure section. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Date of birth.
c. Approximate date of closing of the grievance.
d. Organizational component involved.

Individuals requesting amendments must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Information in this system of records is provided by:

a. The individual on whom the record is maintained;
b. Testimony of witnesses;
c. Union officials;
d. Office of Personnel Management officials; or
e. Department of Labor, Federal Labor Relations Authority, or arbitration officials involved in the grievance.

OPM/INTERNAL-3

System name:

Security Officer Control Files.

System location:

Office of the General Counsel, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415 and OPM Regional Offices. (See list of OPM regional office addresses in the Appendix.)

Categories of individuals covered by the system:

Current and former Central office and regional employees of the Office of Personnel Management and individuals being considered for possible employment by the Office.

Categories of records in the system:

The system consists of disks, cards, and file folders of active, inactive, and pending employees filed alphabetically, and containing date of birth, Social Security Number, classification as to position sensitivity, types and dates of investigations, investigative reports including those from Federal Law Enforcement agencies, Department of Defense, and internal inquiries, dates and levels of clearances, and names of agencies and the reasons why they were provided clearance information on Office employees.

Authority for maintenance of the system:

Executive Order 10450 and Executive Order 12065.

Purpose(s):

These records are used exclusively by OPM Security Officers and the employees of Security Offices for administrative reference in connection with controlling position sensitivity and personnel clearances.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. To disclose information to an agency in the executive, legislative, or judicial branch, or the District of Columbia Government, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

b. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

c. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation

d. To disclose information to the security office of an agency in the executive, legislative, or judicial branch, or the District of Columbia Government, in response to its request for verification of security clearance, to enable Office employees to have access to classified data or areas where their official duties require such access.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on disks, cards, and in file folders.

Retrievability:

Records are retrieved by the name and date of birth of the individuals on whom they are maintained.

Safeguards:

The disks, cards, and file folders are stored in fire-resistant safes contained within a secured area, in lockable metal file cabinets, or in secured rooms. The disks, cards, and file folders do not leave the security office.

Retention and disposal:

Most records are retained for five years after the individual leaves the Office and then are disposed of by erasing the disks or burning the cards. Folders containing investigative reports are transferred with the employee when reassigned in OPM or returned to the Office's Division of Personnel Investigations when the individual leaves OPM.

System manager(s) and address:

General Counsel, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415 for Central office employees. Regional Directors (see list of OPM regional office addresses in the Appendix) for regional office employees.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contact the appropriate system manager as indicated. Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Date of birth.

Record access procedures:

Individuals wishing to request access to records about them should contact the appropriate system manager as indicated. Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Date of birth.

An individual requesting access must also follow the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Individuals wishing to request amendment of their records should contact the appropriate system manager as indicated. Individuals must furnish the following information for their record to be located and identified:

a. Full name.

b. Date of birth.

An individual requesting amendment must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

a. The individual to whom the information applies.

b. The Office's investigative files maintained by the Division of Personnel Investigations.

c. Employment information maintained by the Office's Director of Personnel or regional personnel offices.

d. Officials of the Office of Personnel Management.

3. Federal law enforcement agencies, Department of Defense, and through internal inquiries.

OPM/INTERNAL—4

System name: Employee Occupational Health Program Records.

System location: Associate Director for Compensation, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415, and OPM Mid-Continent Regional Office. (See address of Mid-Continent OPM Regional Office in the Appendix.) Other OPM regional and area office health unit services are provided by other agencies, such as the Public Health Service or the General Services Administration.

Categories of individuals covered by the system: Individuals covered are those of the following who have received health services under the Federal Employee Occupational Health Program:

OPM central office:

a. Office of Personnel Management Central Office employees (whether actually employed at 1900 E Street, NW or elsewhere in the Washington, D.C. area), who have received health services at the OPM Health Unit.

b. Employees of other organizations located in the OPM Building at 1900 E Street, NW, who have received health services at the Office of Personnel Management Health Unit. These organizations include the Presidential Committee on White House Fellowships, and the Presidential Committee on Personnel Interchange.

Mid-Continent Regional Office:

a. Mid-Continent regional office employees who have received health services at the Mid-Continent Federal Employee Health Clinic.

b. Employees of other Mid-Continent area Federal installations that participate in the Mid-Continent Federal Employee Health Clinic located at 1520 Market Street, St. Louis, Missouri, who have received health services.

Categories of records in the system: This system is comprised of records developed as a result of employee utilization of services provided under the Office's Occupational Health program. These records contain the following information:

a. Medical history and other biographical data on those individuals requesting employee health maintenance physical examinations.

b. Test reports and medical diagnosis based on employee health maintenance physical examinations or health screening program tests (tests for single medical conditions or diseases).

c. History of complaint, diagnosis, and treatment of injuries and illnesses cared for at Health Unit.

d. Vaccination Records.

Authority for maintenance of the system: 5 U.S.C. 7901, as further defined in OMB Circular No. A-72.

Purpose(s):

These records document employee utilization of health services provided under the Office's Occupational Health Program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

a. To refer information required by applicable law to be disclosed to a Federal, State, or local public health service agency, concerning individuals who have contracted certain communicable diseases or conditions. Such information is used to prevent further outbreak of the disease or condition.

b. To disclose information to the appropriate Federal, State, or local agency responsible for investigation of an accident, disease, medical condition, or injury as required by pertinent legal authority.

c. To disclose information to another Federal agency, to a court or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

d. To disclose to the Office of Workers' Compensation Programs in connection with a claim for benefits filed by an employee.

e. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

f. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on cards and in folders.

Retrievability: These records are retrieved by the name of the individual to whom they pertain, and, in the Mid-Continent Federal Employee Health Clinic, by employing agency and the individual's name.

Safeguards: These records are maintained in a secured room, with access limited to Health Unit personnel whose duties require access.

Retention and disposal: Records of the OPM Central Office Health Unit are maintained up to 6 years from the date of the last entry. Employees are given records at request upon separation; otherwise, records are burned approximately three months after separation.

Records maintained by the Mid-Continent Federal Employee Health Clinic are retained until the employee terminates employment with a participating agency and 5 years have elapsed since the date of last entry. Expired records are shredded or burned.

System manager(s) and address: a. For records maintained at the Office's Health Unit in Washington, D.C.: Chief, Medical Division, Compensation Group, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

b. For records maintained at the Mid-Continent Federal Employee Health Clinic: Regional Director, Office of Personnel Management, Mid-Continent OPM Regional Office. (See regional office address in the Appendix.)

Notification procedure: Individuals wishing to inquire whether this system of records contains information about them should contact the appropriate system manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Any former name.
c. Date of birth.
d. Name of employing agency and dates of employment (for records held by the Mid-Continent Federal Employee Health Clinic.)

Record access procedures: Individuals wishing to request access to records about them should contact the appropriate system manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Any former name.
c. Date of birth
d. Name of employing agency and dates of employment (for records held by the Mid-Continent Federal Employee Health Clinic.)

An individual requesting access must also follow the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures: Individuals wishing to request amendment of their records should contact the appropriate system manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Any former name.
c. Date of birth.
d. Name of employing agency and dates of employment (for records held by the Mid-Continent Federal Employee Health Clinic.)

An individual requesting amendment must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories: a. The individual to whom the information pertains.

b. Laboratory reports and test results.
c. OPM Health Unit physicians, nurses and other medical technicians who have examined, tested, or treated the individual.
d. The individual's coworkers or supervisors.
e. The individual's personal physician.
f. Other Federal employee health units.

OPM/INTERNAL-5

System name:

Pay, Leave, and Travel Records.

System location:

Office of Financial Management, Administration Group, U.S. Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415, and OPM offices where the individual is currently employed. (See list of OPM regional office addresses in the Appendix).

Categories of individuals covered by the system:

This system contains various records relating to pay, leave, and travel. This includes information such as: Name; date of birth; social security number; home address; grade; employing organization; timekeeper number; salary; pay plan; number of hours worked; leave accrual rate, usage, and balances; Civil Service Retirement contributions; FICA withholdings; Federal, State and local tax withholdings; Federal Employee's Group Life Insurance withholdings; Federal Employee's Health Benefits withholdings; charitable deductions; allotments to financial organizations; garnishment documents; savings bonds allotments; union and management association dues withholding allotments; and travel expenses.

Authority for maintenance of the system:

31 U.S.C. 66a; 5 U.S.C. 5501 et seq., 5525 et seq., 5701 et seq., and 6301 et seq.; and Executive Order 9397.

Purpose(s):

These records are used to administer the pay, leave, and travel requirements of the Office of Personnel Management. These records may also be used to locate individuals for personnel research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. By the Department of Labor in connection with a claim filed by an employee for compensation due to a job-connected injury or illness.

b. By the Department of the Treasury to issue checks and U.S. Savings Bonds.

c. By State offices of unemployment compensation with survivor annuity or health benefits claims or records reconciliations.

d. By Federal Employee's Group Life Insurance or Health Benefits carriers in connection with survivor annuity or health benefits claims or records reconciliations.

e. To disclose information to the Internal Revenue Service and State and Local tax authorities.

f. To provide officials of labor organizations recognized under 5 U.S.C. Chapter 71 with information as to the identity of Office employees contributing union dues each pay period and the amount of dues withheld from each contributor.

g. To disclose information to officials of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting working conditions.

h. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the Office becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

i. To disclose information to any source from which additional information is requested relevant to an Office determination concerning an individual's pay, leave, or travel expenses, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and to identify the type of information requested.

j. To disclose information to a Federal agency, in response to its request in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a suitability or security investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

k. To disclose information to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

l. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

m. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

n. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

o. By the Office of Personnel Management in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

p. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

q. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions, e.g., as promulgated in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

r. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978, and to otherwise ensure compliance with the provisions of 5 U.S.C. 7201

s. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

t. To disclose, annually, pay data to the Social Security Administration and the Department of the Treasury as required.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12). Disclosures may be made from this system to 'consumer reporting agencies' as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders and loose leaf binders and on cards and magnetic tapes.

Retrievability:

These records are retrieved by the names, Social Security Numbers, or Office of Personnel Management employee identification numbers of the individuals on whom they are maintained.

Safeguards:

These records are located in lockable metal filing cabinets or in a secured facility and are available only to authorized personnel whose duties require access.

Retention and disposal:

These records are maintained for varying periods of time, in accordance with GSA General Records Schedule 2. Disposal of manual records is by shredding or burning; magnetic tapes are erased.

System manager(s) and address:

Chief, Office of Financial Management, U.S. Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

Notification procedure:

Individuals wishing to determine whether this system of records contains information on them should contact the system manager indicated above or the OPM regional office where the individual is or was employed. Individual must furnish the following for their records to be located and identified:

a. Full name.
b. Date of birth.
c. Social Security Number.
d. Office of Personnel Management employment identification number.

Record access procedures:

Individuals wishing to request access to records about them should contact the system manager indicated above, or the OPM regional office where the individual is or was employed. Individuals must provide the following information for their records to be located and identified:

a. Full name.
b. Date of birth.
c. Social Security Number.
d. Office of Personnel Management employment identification number.

Individuals requesting access must also follow the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Individuals wishing to request amendment of records about them should contact the system manager indicated above, or the OPM regional office where the individual is or was employed. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Date of birth.
c. Social Security Number.
d. Office of Personnel Management employment identification number.

Individuals requesting amendment must also follow the Office's Privacy Act regulation regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

a. The individual to whom the record pertains.
b. Office of Personnel Management officials responsible for pay, leave, and travel requirements.
c. Other official personnel documents of the Office.

OPM/INTERNAL—6

System name: Appeal and Administrative Review Records.

System location: Office of Personnel, Office of Personnel Management, 1900 E Street, NW., Washington, D.C. 20415, or OPM regional offices. (See list of OPM regional office addresses in the Appendix.)

Categories of individuals covered by the system: Current and former employees of the Office of Personnel Management.

Categories of records in the system: This system contains records relating to various appeal or administrative review procedures available to OPM employees. These appeals or administrative review procedures include adverse action appeals initiated prior to September 9, 1974 which were processed under the Office's internal appeals system; reconsiderations of acceptable level of competence determinations for within-grade increases; impartial reviews of performance ratings; and internal appeals of position classification decisions. The system also contains records and documentation of the action upon which the appeal or review procedure was based (e.g., 90-day notices of warning of unsatisfactory performance rating).

Note: This system does not include:

a. Appeal or complaint records covered by the Merit Systems Protection Board's system of Appeals Records; or

b. Records for grievances processed under OPM's administrative grievance procedure or under the grievance system negotiated by the Office and a recognized labor organization, which are covered under the OPM/INTERNAL-14 and OPM/INTERNAL-2 systems of records.

Authority for maintenance of the system: 5 U.S.C. 1302, 3301, 3302, 4305, 5115, 5335, 7501, 7512, and Executive Order 10577.

Purpose(s):

These records are used to process the various appeals or administrative reviews available to the Office employees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

a. To provide information to officials of labor organizations recognized under 5 U.S.C. Chapter 71, when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting working conditions.

b. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the Office of Personnel Management becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

c. To disclose information to any source from which additional information is requested in the course of processing an appeal or administrative review procedure, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and identify the type of information requested.

d. To disclose information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

e. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

f. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

g. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

h. By the Office of Personnel Management in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

i. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

j. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions, e.g., as promulgated in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

k. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Section Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978, and to otherwise ensure compliance with the provisions of 5 U.S.C. 7201.

l. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Services Impasses Panel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders.

Retrievability: These records are retrieved by the names of the individuals on whom they are maintained.

Safeguards: These records are maintained in lockable metal filing cabinets to which only authorized personnel have access.

Retention and disposal: Adverse action appeals initiated prior to September 9, 1974 which were processed under the Office's internal appeals system are retained for 7 years after the closing of the case. Other records in the system are maintained for a maximum of 4 years after the closing of the case. Disposal is by shredding or burning.

System manager(s) and address: Director, Office of Personnel, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

Notification procedure: Individuals involved in appeals and administrative review procedures are aware of that fact and have been provided access to the record. They may, however, contact the system manager indicated above, or the OPM regional office where the action was processed, regarding the existence of such records about them. They must furnish the following information for their records to be located and identified.

a. Name.

b. Date of birth.

c. Approximate date of closing of the case and kind of action taken.

d. Organizational component involved.

Record access procedures: Individuals involved in appeals and administrative review procedures are aware of that fact and have been provided access to the record. However, after the action has been closed, an individual may request access to the official copy of an appeal or administrative review procedure record by contacting the system manager or appropriate OPM regional office as listed in the Appendix. Individuals must provide the following information for their records to be located and identified:

a. Name.

b. Date of birth.

c. Approximate date of closing of the case and kind of action taken.

d. Organizational component involved.

Individuals requesting access must also follow the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures: Review of requests from individuals seeking amendment of their records which have previously been or could have been the subject of a judicial or quasi-judicial action will be limited in scope. Review of amendment requests of these records will be restricted to determining if the record accurately documents the action of the agency or administrative body ruling on the case, and will not include a review of the merits of the action, determination, or finding.

Individuals wishing to request amendment of their records to correct factual errors should contact the system manager or appropriate OPM regional office as listed in the Appendix. Individuals must furnish the following information for their records to be located and identified:

a. Name.

b. Date of birth.

c. Approximate date of closing of the case and kind of action taken.

d. Organizational component involved.

Individuals requesting amendment must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories: a. The individual to whom the records pertain.

b. OPM officials involved in the appeal or administrative procedure.

c. Other official personnel records of the Office.

OPM/INTERNAL—7

System name: Complaints and Inquiries Records.

System location: Office of Personnel, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415 and OPM regional personnel offices. (See list of OPM regional office addresses in the Appendix.)

Categories of individuals covered by the system: Current OPM employees about whom complaints or inquiries have been received.

Categories of records in the system: This system contains information or correspondence concerning an individual's employment status or conduct while employed by the Office. Examples of these records include: Correspondence from Federal employees, Members of Congress, or members of the public alleging misconduct of an OPM employee; miscellaneous debt correspondence received from creditors; and miscellaneous complaints not covered by the Office's formal or informal grievance procedure.

Authority for maintenance of the system: Executive Order 11222.

Purpose(s):

These records are used to take action on or respond to a complaint or inquiry concerning an OPM employee or to counsel the employee.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the Office of Personnel Management becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to any source from which additional information is requested (to the extent necessary to identify the individual, inform the source of the purpose of the request, and identify the type of information requested), where necessary to obtain information relevant to an OPM decision concerning the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit.

c. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

d. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

e. By the National Archives and Records Administration (General Services Aministration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

f. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

g. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions, e.g., as promulgated in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

h. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978, and to otherwise ensure compliance with the provisions of 5 U.S.C. 7201.

i. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on cards and in file folders which are separate from the employee's Official Personnel Folder.

Retrievability: These records are retrieved by the name of the individual on whom they are maintained.

Safeguards: These records are located in lockable metal filing cabinets with access limited to personnel whose official duties require access.

Retention and disposal: These records are disposed of upon the transfer or separation of the employee or after 1 year, whichever is earlier. Disposal is by shredding or burning.

System manager(s) and address: Director, Office of Personnel, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

Notification procedure: Office employees wishing to inquire whether this system contains information about them should contact the system manager or the appropriate OPM regional personnel office as listed in the Appendix. Individuals must furnish the following information for their records to be located and identified:

a. Name.

b. Date of birth.

Record access procedures: Office employees wishing to request access to their records should contact the system manager or the appropriate OPM regional personnel office as listed in the Appendix. Individuals must furnish the following information for their records to be located and identified:

a. Name.

b. Date of birth.

Individuals requesting access must also comply with the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures: Office employees wishing to request amendment of their records should contact the system manager or the appropriate OPM regional personnel office as listed in the Appendix. Individuals must furnish the following information for their records to be located and identified:

a. Name.

b. Date of birth.

Individuals must also comply with the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories: Information in this system of records is provided by:

a. The individual to whom the information pertains.

b. Federal employees, Members of Congress, creditors, or members of the public who submitted the complaint or inquiry.

c. Office officials.

d. Other sources from whom information was requested regarding the complaint or inquiry.

OPM/INTERNAL—8

System name:

Employee Counseling Services Program Records.

System location:

Office of Personnel, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415, and OPM Regional Offices.

Note.—In order to meet the statutory requirement that agencies provide appropriate prevention, treatment, and rehabilitation programs and services for employees with alcohol or drug problems, and to better accomodate establishment of a health service program to promote employees' physical and mental fitness, it may be necessary for an agency to negotiate for use of the counseling staff of another Federal, State, or local government, or private sector agency or institution. This system also covers records on OPM employees that are maintained by another Federal, State, or local government, or private sector agency or institution under such a negotiated agreement.

When one or more Federal agencies wish to jointly make similar arrangements for employees, in order to ensure compliance with the law and to promote the agency health service program, the Office may, on behalf of the participating agencies, negotiate an agreement that provides such services through another Federal, State, or local government, or private sector agency or institution. However, when such is the case, this system will not cover records pertaining to employees of other participating agencies. Such records are considered by the Office as being part of the employing agency's internal system of records covering agency employees.

Categories of individuals covered by the system:

Current and former Office employees who have been counseled or otherwise treated regarding alcohol or drug abuse or for personal or emotional health problems.

Categories of records in the system:

Records in this system include documentation of visits to employee counselors (Federal, State, local government, or private) and the diagnosis, recommended treatment, results of treatment, and other notes or records of discussions helds with the employee made by the counselor. Additionally, records in this system may include documentation of treatment by a private therapist or a therapist at a Federal, State, local government, or private institution.

Authority for maintenance of the system:

5 U.S.C. 3301 and 7901, 21 U.S.C. 1101 and 1108, 42 U.S.C. 4541 and 4561, and 44 U.S.C. 3101.

Purpose(s):

These records are used to document the nature of the individual's problem and progress made and to record an individual's participation in and the results of community or private sector treatment or rehabilitation programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. To disclose information to the Department of Justice or other appropriate Federal agencies in defending claims against the United States, when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Office in connection with the individual.

b. To disclose information to qualified personnel for the purpose of conducting scientific research, management audits, financial audits, or program evaluation, but such personnel may not identify, directly or indirectly, any individual patient in any report or otherwise disclose patient identities in any manner (when such records are provided to qualified researchers employed by OPM, all patient identifying information shall be removed).

Note.—Disclosure of these records beyond officials of the Office having a bona fide need for them or to the person to whom they pertain, is rarely made as disclosures of information pertaining to an individual with a history of alcohol or drug abuse must be limited in compliance with the restriction of the Confidentiality of Alcohol and Drug Abuse Patient Records regulations, 42 CFR Part 2. Records pertaining to the physical and mental fitness of employees are, as a matter of Office policy, afforded the same degree of confidentiality and are generally not disclosed.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders.

Retrievability:

These records are retrieved by the name of the individual on whom they are maintained.

Safeguards:

These records are maintained in locked file cabinets labeled confidential with access strictly limited to employees directly involved in the Office's alcohol and drug abuse prevention function (as that term is defined in 42 CFR Part 2).

Retention and disposal:

Records are maintained for three to five years after the employee's last contact with the Office's prevention function or, if the employee leaves the agency, until the Employee Counseling Service Program Annual Report for the fiscal year in which separation occurred is prepared. Records are destroyed by shredding or burning.

System manager(s) and address:

Director, Office of Personnel, Office of Personnel Management, 1900 E Street NW., Washington, D.C. 20415.

Notification procedure:

Office employees wishing to inquire whether this system of records contains information about them should contact the OPM Employee Counseling Services Program coordinator who arranged for counseling or treatment. Individuals must furnish the following information for their records to be located and identified:

a. Name.
b. Date of Birth.

Record access procedures:

Office employees wishing to request access to records pertaining to them should contact the OPM Employee Counseling Services Program coordinator who arranged for counseling or treatment. Individuals must furnish the following information for their records to be located and identified:

a. Name.
b. Date of Birth.

An individual must also follow the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Office employees wishing to request amendment to these records should contact the OPM Employee Counseling Services Program coordinator who arranged for counseling or treatment.

Individuals must furnish the following information for their records to be located and identified:

a. Name.
b. Date of Birth.

An individual must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Information in this system of records comes from the individual to whom it applies, the supervisor of the individual if the individual was referred by a supervisor, the Employee Counseling Services Program staff member who records the counseling session, and therapists or institutions providing treatment.

OPM/INTERNAL—9

System name: Employee Locator Card Files.

System location: Personnel and administrative offices of the Office of Personnel Management, 900 E. Street, NW, Washington, D.C. 20415, and OPM regional and area offices. (See list of OPM regional office addresses in the Appendix.)

Categories of individuals covered by the system: Employees of the Office of Personnel Management.

Categories of records in the system: This system contains information regarding the organizational location and telephone extension of individual Office employees. The system also contains the home address and telephone number of the employee, and the name, address, and telephone number of an individual to contact in the event of a medical or other emergency involving the employee.

Authority for maintenance of the system: 5 U.S.C. 301

Purpose(s):

Information is collected for this system for use in preparing telephone directories of the extensions of Office employees. The record also serves to identify an individual for Office officials to contact, should an emergency of a medical or other nature involving the employee occur while the employee is on the job. These records may be used to locate individuals for personnel research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

a. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

b. To disclose information to another Federal agency, to a court, or aparty in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

c. By the Office of Personnel Management in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not certain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

d. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrtative proceeding.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on cards.

Retrievability: Records are retrieved by the name of the individual on whom they are maintained.

Safeguards: Records are maintained in secured areas and are available only to authorized personnel whose duties require access.

Retention and disposal: Records are maintained as long as the individual is an employee of the Office of Personnel Management. Expired records are destroyed by burning or shredding.

System manager(s) and address: Director, Office of Personnel, Office of Personnel Management, 1900 E. Street, NW, Washington, D.C. 20415.

Notification procedure: Office employees wishing to inquire whether this system contains information about them should contact the appropriate OPM administrative officer where employed. Individuals must supply the following information for their records to be located and identified:

a. Full name.

Record access procedures: Office employees wishing to request access to records about them should contact the appropriate OPM administrative officer where employed. Individuals must supply the following information for their records to be located and identified:

a. Full name.

Individuals requesting access must also comply with the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.2.01 and 297.203).

Contesting record procedures: Office employees may amend information in these records at any time by resubmitting the cards. Individuals wishing to request amendment of their records under the provisions of the Privacy Act should contact the appropriate OPM administrative officer where employed. Individuals must furnish the following information for their records to be located and identified:

a. Full name.

Individuals requesting amendment must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories: Information is provided by the individual who is the subject of the record.

OPM/INTERNAL—10[Reserved]

OPM/INTERNAL—11[Reserved]

OPM/INTERNAL—12

System name:

Speaker Resume Records.

System location:

Associate Director for Workforce Effectiveness and Development, Office of Personnel Management, 1900 E Street NW., Washington, D.C. 20415, and OPM Regional Training Managers. (See list of OPM regional office addresses in the Appendix.)

Categories of individuals covered by the system:

Subject matter experts, consultants, and teachers with whom the Office may contract to deliver training courses or portions thereof.

Categories of records in the system:

These records include resumes, names and address(es) of the individual, courses taught, with date, location, and amount paid in chronological order.

Authority for maintenance of the system:

5 U.S.C. 4107.

Purpose(s):

These records are used to identify and contact potential speakers and instructors of Office of Personnel Management training programs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the Office of Personnel Management becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to a Federal agency, in response to its requests, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

c. To disclose information to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

d. To provide information to a congressional office from the record of an individual in response to an inquiry from a congressional office made at the request of that individual.

e. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is party to a judicial proceeding or in order to comply with the issuance of a subpoena.

f. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

g. To disclose in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained on index cards, or in file folders and binders.

Retrievability:

Records are retrieved by the name of the individual on whom they are maintained.

Safeguards:

Records are located in lockable metal filing cabinets or in secured rooms with access limited to personnel whose official duties require access.

Retention and disposal:

Records are retained as long as the individual is actively utilized in the training program and for a maximum of 2 more years, then are destroyed by shredding or burning.

System manager(s) and address:

a. For records maintained centrally: Associate Director for Workforce Effectiveness and Development, Office of Personnel Management, 1900 E Street NW., Washington, D.C. 20415.

b. For records maintained by Regional Training Centers: Manager, Regional Training Center at which individual is being considered for speakership or contract. (See list of OPM regional office addresses in the Appendix.)

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contact the appropriate System manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Name.

b. Place where last employed as a training instructor.

Record access procedures:

Individuals wishing to request access to their records should contact the appropriate System manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Name.

b. Place where last employed as a training instructor.

Individuals requesting access must also comply with the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Individuals wishing to request amendment of their records should contact the appropriate System Manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Name.

b. Place where last employed as a training instructor.

Individuals requesting amendment of their records must also comply with the Office's Privacy Act regulations regarding verification of indentity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

The individual to whom the information applies.

OPM/INTERNAL—13

System name: Motor Vehicle Operator and Accident Report Records.

System location: Director, Office of Management, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415, and OPM regional administrative offices. (See list of OPM regional office addresses in the Appendix.)

Categories of individuals covered by the system: Current and former employees of the Office of Personnel Management.

Categories of records in the system: The system contains documents related to the authorization and issuance to an individual of a Government motor vehicle operator's permit; also included are reports, correspondence, and fiscal documents concerning automobile accidents occurring in a Government owned or leased automobile or in a privately owned vehicle while on official business.

Authority for maintenance of the system: Chapter 171 of Title 28, United States Code.

Purpose(s):

These records serve to document issuance of a Government motor vehicle operator's permit; accident reports and related documents may be used in claims settlement litigation regarding an accident involving a Government motor vehicle or privately owned vehicle while being used on official business.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the Office of Personnel Management becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to any source from which additional information is requested (to the extent necessary to identify the individual, inform the source of the purpose of the request, and identify the type of information requested), where necessary to obtain information relevant to an Office decision concerning the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a grant or other benefit.

c. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

d. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

e. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

f. By the Office of Personnel Management in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

g. To disclose accident report record information to officials of labor organizations recognized under the Civil Service Reform Act when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting working conditions.

h. To disclose information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation, the classifying of jobs, or the award of a contract, license, grant, or other benefit.

i. To disclose information to the General Services Administration about accidents involving Government-owned or leased automobiles.

j. To disclose information to insurance carriers about accidents involving privately-owned vehicles.

k. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders and on indexed application cards.

Retrievability: Records are retrieved by the name of the individual on whom they are maintained.

Safeguards: Records are maintained in a secured area with access limited to authorized personnel whose duties require access.

Retention and disposal: Motor vehicle operator records are maintained for three years after the separation of the employee (operator) and are destroyed by shredding. Accident reports are maintained for six years after the date of the report and are destroyed by shredding, except in cases involving litigation. In cases involving litigation, these records are to be maintained for seven years.

System manager(s) and address: a. For motor vehicle operator records: Director, Office of Management, Office of Personnel Management, 1900 E Street, NW., Washington, D.C. 20415.

b. For accident report records: Office of the General Counsel, Office of Personnel Management, 1900 E Street, NW., Washington, D.C. 20415.

Notification procedure: Individuals wishing to inquire whether this system of records contains information about them should contact the appropriate office as follows:

a. For accident report records: Contact the system manager for these records indicated above;

b. Motor vehicle operator records for current or former OPM Central Office employees: Contact the system manager indicated above;

c. Motor vehicle operator records for current and former OPM Regional employees: Contact the OPM Regional Director of the region in which employed (see list of OPM regional office addresses in the Appendix).

Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Date of birth.

Record access procedures: Individuals wishing to request access to records about them should contact the appropriate office as follows:

a. For accident report records: Contact the system manager for these records indicated above;

b. Motor vehicle operator records for current or former OPM Central Office employees: Contact the system manager indicated above;

c. Motor vehicle operator records for current and former OPM Regional employees: Contact the OPM Regional Director of the region in which employed (see list of OPM regional office addresses in the Appendix).

Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Date of birth.

An individual requesting access must also follow the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures: Individuals wishing to request amendment of their records should contact the appropriate office as follows:

a. For accident report records: Contact the system manager for these records indicated above;

b. Motor vehicle operator records for current or former OPM Central Office employees, Office of Personnel Management: Contact the system manager indicated above;

c. Motor vehicle operator records for current and former OPM Regional employees: Contact the OPM Regional Director of the region in which employed (see list of OPM regional office addresses in the Appendix).

Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Date of birth.

An individual requesting amendment must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories: a. The individual to whom the record pertains.

b. OPM employees and other parties involved in the accident.

c. Witnesses to the accident.

d. Police reports and reports of investigations conducted by OPM investigators.

e. Officials of the Office of Personnel Management and the General Services Administration.

OPM/INTERNAL—14

System name:

Administrative Grievance Records.

System location:

These records are located in the personnel or other designated office, OPM Central and Regional offices (see list of OPM regional office addresses in the Appendix) where the grievance was filed.

Categories of individuals covered by the system:

Current or former Office employees who have filed grievances, under OPM's administrative grievance procedures in accordance with Part 771 of the Office's regulations (5 CFR Part 771).

Categories of records in the system:

The system contains records relating to grievances filed by OPM employees under administrative procedures and in accordance with Part 771 of the Office's regulations. These case files contain all documents related to the informal and/or formal grievance, including statements of witnesses, reports of interviews and hearings, examiner's findings and recommendations, a copy of the original decision, and related correspondence and exhibits. This system does not include files and records of any grievance filed under negotiated procedures with recognized labor organizations.

Authority for maintenance of the system:

5 CFR Part 771.

Purpose(s):

These records are used to process grievances submitted by OPM employees, for personal relief in a matter of concern or dissatisfaction which is subject to the control of agency management.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to any source from which additional information is requested in the course of processing a grievance, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and identify the type of information requested.

c. To disclose information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

d. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

e. To disclose information to another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

f. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

g. By the Office in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

h. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions as promulgated in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

i. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

j. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

k. To disclose in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders.

Retrievability:

These records are retrieved by the names of the individuals on whom they are maintained.

Safeguards:

These records are maintained in lockable metal filing cabinets to which only authorized personnel have access.

Retention and disposal:

These records are disposed of three years after the close of the fiscal year in which a final decision is issued. Disposal is by shredding or burning.

System manager(s) and address:

Director, Office of Personnel, Administration Group, Office of Personnel Management, 1900 E Street NW., Washington, D.C. 20415.

Notification procedure:

It is required that individuals submitting grievances be provided a copy of the record under the grievance process. They may, however, contact the personnel or designated office where the action was processed, regarding the existence of such records on them. They must furnish the following information for their records to be located and identified:

a. Name.
b. Date of birth.
c. Approximate date of closing of the case and kind of action taken.
d. Organizational component involved.

Record access procedures:

It is required that individuals submitting grievances be provided a copy of the record under the grievance process. However, after the action has been closed, an individual may request access to the official copy of the grievance file by contacting the personnel or designated office where the action was processed. Individuals must provide the following information for their records to be located and identified.

a. Name.
b. Date of birth.
c. Approximate date of closing of the case and kind of action taken.
d. Organizational component involved.

Individuals requesting access must also follow the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 or 297.203).

Contesting record procedures:

Review of requests from individuals seeking amendment of their records which have been the subject of a judicial or quasi-judicial action will be limited in scope. Review of amendment requests of these records will be restricted to determining if the record accurately documents the ruling on the case, and will not include a review of the merits of the action, determination, or finding.

Individuals wishing to request amendment to their records to correct factual errors should contact the personnel or designated office where the grievance was processed. Individuals must furnish the following information for their records to be located and identified:

a. Name.
b. Date of birth.
c. Approximate date of closing of the case and kind of action taken.
d. Organizational component involved.

Individuals requesting amendment must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Information in this system of records is provided:

a. By the individual on whom the record is maintained.
b. By testimony of witnesses.
c. By agency officials.

OPM/CENTRAL-1

System name:

Civil Service Retirement and Insurance Records.

System location:

Associate Director for Compensation, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415. Certain records pertaining to State income tax withholdings from annuitant payments are located with State Taxing Offices.

Categories of individuals covered by the system:

a. Former Federal employees and members of Congress who performed service subject to the Civil Service Retirement (CSR) system.

b. Current Federal employees who have:

(1) Performed Federal service subject to the CSR system other than with their present agency; or

(2) Filed a designation of beneficiary for benefits payable under the CSR system; or

(3) Requested the Office to review claims for health benefits made under the Federal Employees Benefits Program; or

(4) Filed a service credit application with former Federal service; or

(5) Filed an application for disability retirement with the Office and are awaiting final decision, or whose disability retirement application has been disapproved by the Office.

c. Former Federal employees who died subject to or who retired under the CSR system, or their surviving spouses and/or children who have received or are receiving CSR benefits, Federal Employees Group Life Insurance benefits, or Federal Employees Health Benefits.

d. Former Federal employees who died subject to or who retired under a Federal Government retirement system other than the CSR system, or their surviving spouses and/or children, who have received or are receiving Federal Employees Group Life Insurance benefits and/or Federal Employees Health Benefits.

e. Applicants for Federal employment found unsuitable for employment on medical grounds.

Categories of records in the system:

This system comprises those retirement service history records of employees' service in the Federal Government other than that for the agency in which they may presently be employed. Also included in the system are current personnel data pertaining to active United States Postal Service employees who, by virtue of the provisions set forth in 5 U.S.C. 2105(e), are not considered civil service employees. It also contains information developed in support of claims for benefits made under the retirement, health benefits, and life insurance programs for Federal employees that the Office administers. Also included are medical records and supporting evidence on those individuals whose application for disability retirement has been rejected. Consent forms and other records related to the withholding of State income tax from annuitant payments, whether physically maintained by the State or the Office, are included in this system. These records contain the following information:

a. Documentation of Federal service subject to the CSR system.

b. Documentation of service credit and refund claims made under the CSR system.

c. Documentation of voluntary contributions made by eligible individuals.

d. Retirement and death claims files, including documents supporting the retirement application, health benefits and life insurance eligibility, medical records supporting disability claims (after receipt by the Office), and designations of beneficiary.

e. Claim review files pertaining to requests that claims made under the Federal Employee Health Benefits program be reviewed by the Office.

f. Documentation of continuing coverage for life insurance and health benefits for annuitants and their survivors under a Federal Government retirement system other than the CSR system, or for compensationers and their survivors under the Office of Workers Compensation Programs.

Authority for maintenance of the system:

Section 3301 and chapters 83, 87, and 89 of title 5, United States Code; Pub. L. 83-598, 84-356, 86-724, and 94-455, and Executive Order 9397.

Purpose(s):

These records provide information and verification on which to base entitlement and computation of CSR and survivors' benefits, Federal Employees Health benefits and enrollments, and Federal Employees Group Life Insurance benefits, and to withhold State income taxes from annuitant payments. These records also serve to review rejection of applicants for Federal employment on medical suitability grounds. These records also may be used to locate individuals for personnel research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. To disclose, to the following recipients, information needed to adjudicate a claim for benefits under the Office's or the recipients' benefits program(s), or information needed to conduct an analytical study of benefits being paid under such programs: Office of Workers' Compensation Programs; Veterans Administration Pension Benefits Program; HHS' Social Security Old Age, Survivor and Disability Insurance and Medical Programs, Health Care Financing Administration, and Supplemental Security Income Program; military retired pay programs; Federal civilian employee retirement programs (other than the CSR system); or other national, State, county municipal, or other publicly recognized charitable or social security administrative agency.

b. To disclose to the Federal Employees Group Life Insurance Office information necessary to verify the election, declination, or waiver of regular and/or optional life insurance coverage or eligibility for payment of a claim for life insurance.2

c. To disclose to health insurance carriers contracting with the Office to provide a health benefits plan under the Federal Employees Health Benefits Program, information necessary to identify enrollment in a plan, to verify eligibility for payment of a claim for health benefits, or to carry out the coordination for benefits provisions of such contracts.

d. To disclose to any inquirer, if sufficient information is provided to assure positive identification of an individual on whom a department or agency maintains retirement or insurance records, the fact that an individual is or is not on the retirement rolls, and, if so, the type of annuity (employment or survivor, but not retirement on disability) being paid, or if not, whether a refund has been paid.

e. When an individual to whom a record pertains dies, to disclose to any person possibly entitled in the order of precedence for lump-sum benefits, information in the individual's record that might properly be disclosed to the individual, and the name and relationship of any other person whose claim for benefits takes precedence or who is entitled to share the benefits payable. When a representative of the estate has not been appointed, the individual's next of kin may be recognized as the representative of the estate.

f. To disclose to the Internal Revenue Service, Department of the Treasury, information as required by the Internal Revenue Code of 1954, as amended.

g. To disclose to the Department of the Treasury information necessary to issue benefit checks.

h. To disclose information to any person who is responsible for the care of the individual to whom a record pertains, and who is found by a court or the Office Medical Officers to be incompetent or under other legal disability, information necessary to assure payment of benefits to which the individual is entitled.

i. To disclose to the Parent Locator Service of the Department of Health and Human Services, upon its request, the present address of an annuitant, or former employee, for enforcing child support obligations against such individual.

j. In connection with an examination ordered by the agency under:

(1) Fitness for duty examination procedures; or

(2) Agency-filed disability retirement procedures.

To disclose to the agency-appointed representative of an employee all notices, decisions, other written communications, or any pertinent medical evidence other than medical evidence that a prudent physician would hesitate to inform the individual of; such medical evidence will be disclosed only to a licensed physician, designated in writing for that purpose by the individual or his or her representative.

k. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, when the Office becomes aware of an indication of a violation or potential violation of a civil or criminal law or regulation.

l. To disclose information to any source from which additional information is requested relevant to the Office determination on an individual's eligibility for or entitlement to coverage under the retirement, life insurance, and health benefits program, to the extent necessary to identify the individual and the type of information requested.

m. To disclose information to the Office of Management and Budget at any stage of the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

n. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

o. To disclose information to another Federal agency, to a court or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

p. To disclose to a Federal agency, in response to its request, information in connection with (1) the hiring, retention, separation, or retirement of an employee; (2) the issuance of a security clearance; (3) the reporting of an investigation of an employee; (4) the letting of a contract; (5) the classification of a job; or (6) the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the Office determines that the information is relevant and necessary to the requesting agency's decision on the matter.

q. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

r. To provide an official of another Federal agency information needed in the performance of official duties related to reconciling or reconstructing data files, compiling descriptive statistics, and making analytical studies to support the function for which the records were collected and maintained.

s. By the Office, in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances, the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

t. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

u. To disclose to another agency, or to an instrumentality of any governmental jurisdiction within or under the control of the United States, for a civil or criminal law enforcement activity, if the activity is authorized by law and if the head of the agency or instrumentality has made a written request to the Office specifying the particular portion(s) of the record desired (including an address) and the law enforcement activity for which the record is sought.

v. To disclose to a Federal agency, in response to its request, the address of any annuitant or applicant for refund of retirement deductions, if the agency requires that information to provide consideration in connection with the collection of a debt due the United States.

w. To disclose information in valid emergency situations when consent cannot readily be obtained and instant action is required, to persons who have a need to know, if the particulars of the disclosure then are transmitted to the subject's last known address.

x. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions as promulgated in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

y. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines of Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

z. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

aa. To disclose to a Federal agency, in response to its request, the present address of a former employee and any other information the agency needs to contact the former employee concerning a possible threat to his or her health or safety.

bb. To disclose to an allottee, as defined in 5 CFR 831.1501, the name, address, and the amount withheld from an annuitant's benefits, pursuant to 5 CFR 831.1501 et seq. as an allotment to that allottee to implement the program of voluntary allotments authorized by 5 U.S.C. 8345(h).

cc. To disclose to a State agency responsible for the collection of State income taxes the information required by an Agreement to Implement State Income Tax Withholdings from Civil Service Annuities entered pursuant to section 1705 of Pub. L. 97-35 to implement the program of voluntary State income tax withholding required by 5 U.S.C. 8345(k).

dd. To disclose to the Social Security Administration, the social security numbers of civil service annuitants to determine (1) their vital status as shown in the Social Security Administration Master Records; (2) whether recipients of the minimum annuity are receiving at least the Special Primary Insurance Amount benefit from the Social Security Administration; and (3) whether civil service retirees with post-1956 military service credit are receiving benefits from the Social Security Administration.

ee. To disclose to a requesting agency, organization, or individual, the home address and other relevant information on those individuals who, it is reasonably believed, might have contracted an illness, been exposed to, or suffered from, a health hazard while employed in the Federal work force to protect the health and safety of the affected employees.

ff. To disclose information contained in the Retirement Annuity Master File; including the name, social security number, date of birth, sex, the Office's claim number, health benefit enrollment code, retirement date, retirement code (type of retirement), annuity rate, pay status of case, correspondence address, and ZIP code, of all Federal retirees to agencies participating in the "Federal Employees Receiving Government Assistance" Matching Project conducted by the President's Council on Integrity and Efficiency to help eliminate fraud and abuse in the benefit programs administered by agencies within the Federal Government and to collect debts and overpayments owed to the Federal Government. (47 FR 8438, February 26, 1982.)

gg. To disclose information contained in the Retirement Annuity Master File, including the name, social security number, date of birth, sex, the Office's claim number, health benefit enrollment code, retirement date, retirement code (type of retirement), annuity rate, pay status of case, correspondence address, and ZIP code, of all Federal retirees and their survivors to requesting States to help eliminate fraud and abuse in the benefit programs administered by the States (and by those States to local governments) and to collect debts and overpayments owed to those governments and their components. (48 FR 12628, March 25, 1983).

hh. To disclose to a Fedeeral agency, a person or an organization contracting with a Federal agency for rendering collection services within the purview of section 13 of the Debt Collection Act of 1982, in response to a written request from the head of the agency or his or her designee, or from the debt collection contractor, the following data concerning an individual owing a debt to the Federal Government: (1) The debtor's name, address, social security number, and other information necessary to establish the identity of the individual; (2) the amount, status, and history of the claim; and (3) the agency or program under which the claim arose.

ii. To disclose information contained in the Retirement Annuity Master File, upon written request, to state tax administration agencies, for the express purpose of ensuring comnpliance with state tax obligations by persons receiving benefits under the Civil Service Retirement System, and to prevent fraud and abuse, but only the following data elements: Name, correspondence address, date of birth, sex, social security account number, annuity rate commencing date of benefits, and retirement code (type of retirement).

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12). Disclosures may be made from this system to 'consumer reporting agencies' as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained on magnetic tapes, discs, and in folders.

Retrievability:

These records are retrieved by the name, social security number, date of birth, and/or claim number of the individual to whom they pertain.

Safeguards:

Records are kept in lockable metal file cabinets or in a secured facility with access limited to those whose official duties require access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

All records on a claim for retirement, life insurance, health benefits, and tax withholdings are maintained permanently. Medical suitability records are maintained for 18 months. Requests for review of health benefits claims are maintained up to 3 years. Disposal of manual records is by shredding or burning; magnetic tapes and discs are erased.

System manager(s) and address:

Associate Director for Compensation, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

Notification procedure:

Individuals wishing to inquire if this system contains information about them should contact the system manager. Individuals must furnish the following information for their records to be located and identified:

a. Name, including all former names.

b. Date of birth.

c. Social security number.

d. Name and address of office in which currently and/or formerly employed in the Federal service.

Record access procedures:

Individuals wishing to request access to their records in this system should contact the system manager. Individuals must furnish the following information for their records to be located and identified:

a. Name, including all former names.

b. Date of birth.

c. Social security number.

d. Name and address of office in which currently and/or formerly employed in the Federal service.

e. Annuity, service credit, or voluntary contributions, account number, if assigned.

Individuals requesting access must also follow the Office's Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Individuals wishing to request amendment of their records in this system should contact the system manager. Individuals must furnish the following information for their records to be located and identified:

a. Name, including former names.

b. Date of birth.

c. Social security number.

d. Name and address of office in which currently and/or formerly employed in the Federal service.

e. Annuity, service credit, or voluntary contributions account number, if assigned.

Individuals requesting amendment of their records must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

The information in this system is obtained from the following sources:

a. The individual to whom the information pertains.

b. Agency pay, leave, and allowance records.
c. GSA National Personnel Records Center.
d. Federal civilian retirement systems.
e. Military retired pay system records.
f. Office of Workers' Compensation Benefits Program.
g. Veterans Administration Pension Benefits Program.
h. Social Security Old Age, Survivor, and Disability Insurance and Medicare Programs.
i. Health insurance carriers and plans participating in the Federal Employee Health Benefits Programs.
j. The Office of Federal Employees Group Life Insurance.
k. Office of Personnel Management Government-wide System (OPM/GOVT-1) covering Official Personnel Folders.
l. The individual's co-workers and supervisors.
m. Physicians who have examined or treated the individual.

OPM/CENTRAL—2

System name:

Complaints and Inquiries Records.

System location:

Assistant Director for Agency Compliance and Evaluation, Compliance and Investigations Group, Office of Personnel Management, 1900 E Street NW, Washington, D.C. 20415, and OPM regional offices. (See list of regional office addresses in the Appendix.)

Categories of individuals covered by the system:

a. Current and former Federal employees who have filed complaints or submitted an inquiry about conditions in the agency or agency personnel actions affecting the individual, e.g., allegations or improper promotion actions, reduction-in-force procedures, or Fair Labor Standards Act (FLSA) procedures.

b. Persons who are not current or former Federal employees who have complained or inquired about an agency decision or action related to the general area of personnel management.

Categories of records in the system:

This system of records contains information or documents relating to the processing and adjudication of a complaint made to the Office under its regulations. The records may include information and documents regarding the actual personnel action of the agency in question and the decision or determination rendered by an agency regarding the issue raised.

Authority for maintenance of the system:

Title 5, U.S.C., Sections 1302, 3502; Executive Orders 9830, 10577, and 11491; and Pub. L. 93-259.

Purpose(s):

The principal purpose for which these records are established is to retain a record of correspondence with an individual, over a complaint or inquiry, as a reference should that individual again contact the office.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the Office of Personnel Management becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

c. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

d. To disclose information to any source from which additional information is requested in the course of adjudicating an appeal or complaint, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and to identify the type of information requested.

e. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of subpoena.

f. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

g. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in executive files, in file folders, binders, or on index cards.

Retrievability:

These records are retrieved by the names of the individuals on whom they are maintained.

Safeguards:

The records are located in lockable metal filing cabinets or in a secured room, with access limited to those persons whose official duties require such access.

Retention and disposal:

1. Records related to most complaints or inquiries about conditions at an agency or an agency's personnel actions affecting an individual, are maintained until the second calendar year following closing action on the complaint.

2. Records related to Fair Labor Standard Act complaints are maintained indefinitely.

3. All records are destroyed by shredding or burning.

System manager(s) and address:

Since records in this system are retained by the office that responds to them, each such office is the system manager for the records in their possession. Therefore, the system managers for this system are the Associate Directors for each major organizational group within the Office of Personnel Management, i.e., Administration, Compensation, Workforce Effectiveness and Development, Staffing, and Compliance and Investigations, and in some cases Regional Director's offices. The address for Associate Directors is: U.S. Office of Personnel Management, 1900 E Street NW., Washington, D.C. 20415. The addresses for regional offices are contained in the Appendix published on April 16, 1982, 47 FR 16503.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contact the appropriate system manager indicated above, depending on the nature of the complaint or inquiry and the office to which they made the request or from which they received a response. Matters relating to OPM operations as an agency would be under the Administration Group; matters relating to pay, retirement, or life/health insurance programs would be under the Compensation group; matters relating to merit pay, incentive awards, performance, or training would be under the Workforce Effectiveness and Development group; matters relating to recruiting, examining, or placement of applicants/employees would be under the Staffing group; and matters relating to OPM-conducted compliance and evaluation visits, position classification reviews, retained rate of pay and grade appeals, Official Personnel Folders, or personnel investigation would be under the Compliance and Investigations group. If such complaints or inquiries were filed in an OPM regional office, and a response was received from that office, contact should first be made with that office before any inquiry is made of the specific system manager. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. If appropriate, the agency in which employed when complaint or inquiry was filed and the approximate date.
c. Kind of response received.

Record access procedure:

Individuals who have filed a complaint or inquiry about an agency personnel action or about conditions existing in an agency will receive a response and, if necessary, be provided access to any other pertinent record. After a response to a complaint or inquiry has been received, an individual may request access to the official copy of the correspondence record by writing the system manager or OPM regional office indicated in the Notification procedures section. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. If appropriate, the agency in which employed when complaint or inquiry was filed and the approximate date.
c. Kind of response received.

Individuals requesting access must also follow the Office's Privacy Act regulations regarding verification of identity and access to regard (5 CFR 297.201 and 297.203).

Contesting record procedures:

Review of requests from individuals seeking amendment of their correspondence file records will be limited in scope. Review of amendment requests of these records will be restricted to determining if the record accurately documents the nature of the complaint or inquiry, the identity of the individual, and the response furnished. Individuals must furnish the following information for their records to be located and verified:

a. Full name.

b. If appropriate, the agency in which employed when complaint or inquiry was filed and the approximate date.

c. Kind of response received.

Individuals requesting amendment of their records must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

a. Individual to whom the record pertains.

b. Agency and/or Office of Personnel Management.

c. Official documents relating to the complaint.

d. Related correspondence from organizations or persons.

OPM/CENTRAL—3

System name:

Federal Executive Development Program and SES Candidate Development Program Records.

System location:

Administration Group, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

Categories of individuals covered by the system:

Federal employees at the GS-15 or equivalent level, who applied and were nominated by their agency for the Federal Executive Development Program or the SES Candidate Development Program.

Categories of records in the system:

These records contain demographic information and background data on the experience, education, awards, and career interests of nominees, their agency recommendations for the Program, and supervisory evaluations. Also included are records of the evaluation process used by the selection panel in choosing the finalists and data on assignments and progress under the Program.

Note.—This system does not include records containing applications and related information on employees who were not nominated by their employing agencies to the Office for the Federal Executive Development Program or the SES Candidate Development Program. These records which never come to the Office, are agency maintained records, and may be published as an agency system of records subject to the Privacy Act or may be part of OPM's Government-wide system of General Personnel Records (OPM/Govt-1).

Authority for maintenance of the system:

Executive Orders 11315, 12027, and 9397.

Purpose(s):

These records are maintained and used by the Office to select final candidates for the Federal Executive Development Program and the SES Candidate Development Program to arrange the work assignments of those selected, and to track their progress on assignments under the Program. The Office may use these records to locate individuals for personnel research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. To disclose information to individuals responsible for making the final selection of candidates for the Program.

b. To disclose information to agencies in which the selected employee is or will be performing work assignments under the Program.

c. To disclose information to the individual's employing agency regarding his or her nomination, work assignments, progress under the Program, and for necessary personnel administrative purposes (pay matters, personnel actions, etc.).

d. By the Office of Personnel management in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

e. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

f. To disclose information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing or implementing a statute, rule, regulation, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

g. To disclose information to another Federal agency, to a court, or to a party in litigation before a court in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

h. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

i. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

j. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions, e.g., as prescribed in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

k. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

l. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are retrieved by the names of the individuals on whom they are maintained.

Safeguards:

When not in use records are kept in locked cabinets. Records are available only to authorized personnel whose duties require access.

Retention and disposal:

Records are retained for 2 years on candidates who enter the program but who do not complete it and for 7 years on those who complete such a program. Disposal of paper records is by shredding or burning while disks and tapes are erased.

System manager(s) and address:

Associate Director, Administration Group, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

Notification procedure:

Individuals wishing to inquire whether this system contains information about them should contact the system manager.

Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Date of birth.

c. Social Security Number.

d. Program year (Year nominated or selected for program).

Record access procedures:

Individuals wishing to request access to records about themselves should contact the system manager. Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Date of birth.

c. Social Security Number.

d. Program year (Year nominated or selected for program).

An individual requesting access must also follow the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Individuals wishing to request amendment of their records should contact the system manager. Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Date of birth.

c. Social Security Number.

d. Program year (Year nominated or selected for program).

An individual requesting amendment must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Information is provided by the individual to whom the record pertains, his or her supervisors and other management officials, the selection panel, or is obtained from agency records.

OPM/CENTRAL-4

System name:

Inspector General Investigations Case Files.

System location:

Office of the Inspector General, Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415.

Categories of individuals covered by the system:

Current and former Office employees, certain current and former employees of other Federal agencies, annuitants, and contractors with the Office.

Categories of records in the system:

Case files contain individual identifiers such as name, date of birth, social security number, employee number, civil service retirement case file number, and related personal information. Case files are created pertaining to matters including the following:

(1) Fraud against the Government; (2) Theft of Government property; (3) Misuse of Government property; (4) Improper personal conduct; (5) Irregularities in awarding contracts; (6) Improper personnel practices; (7) Call detailing case records; and (8) Initiatives arising from the President's Council on Integrity and Efficiency.

Authority for maintenance of the system:

5 U.S.C. 301.

Purpose(s):

Information in case files serves to document the outcome of investigations, reporting the results of investigations to other Office components or agencies for their use in evaluating their programs and imposition of any civil or administrative sanctions, and, if appropriate, reporting the results of the investigations to other agencies for any action deemed appropriate, and for retaining sufficient information to fulfill the reporting requirements of Pub. L. 95-452, Section 5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used in disclosing information—

a. To designated officers and employees of agencies, offices, and other establishments in the executive, legislative, and judicial branches of the Federal Government having an interest in the individual for employment purposes, including a security clearance or access determination, and the need to evaluate qualifications, suitability, and loyalty to the United States Government.

b. To designated officers and employees of agencies, offices, and other establishments in the executive, legislative, and judicial branches of the Federal Government when such agency, office, or establishment conducts an investigation of the individual for granting a security clearance, or for making a determination of qualifications, suitability, or loyalty to the United States Government, or access to classified information or restricted areas.

c. To any source from which information is requested in the course of an investigation, to the extent necessary to identify the individual, inform the source of the nature and purpose of the investigation, and to identify the type of information requested.

d. To the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order when the Office becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

e. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

f. To another Federal agency, to a court or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or to comply with the issuance of a subpoena.

g. To provide information to the Department of Justice, or in a proceeding before a court, adjudicative body, or other administrative body before which the agency is authorized to appear, when:

(1) The agency, or any component thereof is a party to litigation; or

(2) Any employee of the agency in his or her official capacity is a party to litigation; or

(3) Any employee of the agency in his or her individual capacity, where the Department of Justice or the agency has agreed to represent the employee, or

(4) The United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice or the agency is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case it has been determined that the disclosure is compatible with the purpose for which the records were collected.

h. To the National Archives and Records Administration for records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

i. To the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

j. To respond to a request for discovery or for appearance of a witness, when relevant to the subject matter involved in a pending judicial or administrative proceeding.

k. To disclose information to officials of the Merit Systems Protection Board, including the Office of Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions; e.g., as promulgated in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

l. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discriminatory practices in the Federal sector, examination of Federal affirmative employment programs, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

m. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, on index cards, on microfilm, or disks.

Retrievability:

Records are retrieved by the name, date of birth, social security number, employee number, case file number, or other unique identifying number, or by a combination of such identifiers.

Safeguards:

Records are maintained in file cabinets secured by combination locks, secured microfilm storage cabinets, and in computers with access limited to only certain employees through the use of individual identifiers and passwords.

Retention and disposal:

Case files are retained while the person is under investigation and for 10 years after final disposition of the case or any litigation of the matter is completed.

System manager(s) and address:

Inspector General, U. S. Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415.

Notification procedure:

Individuals wishing to learn whether this system contains information about them should contact the system manager. So that the record can be located and identified, the requester must furnish the following information:

a. Full name.

b. Date of birth and social security number.

c. Signature

d. Any additional information (e.g., type of investigation conducted, employee number or annuitant CSR number) that the requester believes might be helpful.

Record access procedures:

Specific records in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552a (c)(3) and (d) regarding access to records. The section of this notice titled Systems Exempted from Certain Provisions of the Act, which follows, indicates the kinds of records exempted. Individuals wishing to request access to any records pertaining to them should contact the system manager. Requesters must furnish the following information for their records to be located and identified:

a. Full name.

b. Date of birth and social security number.

c. Signature.

d. Any additional information (e.g., type of investigation conducted, employee number or annuitant CSR number) that the requester believes may be helpful.

Individuals requesting access must also comply with the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Specific records in this system have been exempted from the Privacy Act provisions at 5 U.S.C. 552a(d) regarding amendment of records. The section of this notice titled Systems Exempted from Certain Provisions of the Act, which follows, indicates the kinds of records exempted. Individuals seeking to amend their records should contact the system manager. Requesters must furnish the following information for their records to be located and identified:

a. Full name.

b. Date of birth and social security number.

c. Signature.

d. Any additional information (e.g., type of investigation conducted, or employee number or annuitant CSR number) that the requester believes may be helpful.

Individuals requesting amendment must also comply with the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Information in this system is obtained from—

a. The individual who is the subject of the case file.

b. The individual's supervisor and co-workers.

c. Other Federal and non-Federal sources who have information relevant to the case.

d. Official records of the Office or another Federal agency.

e. Non-Government record sources.

Systems exempted from certain provisions of the act:

The Office has claimed exemptions from the access (including access to an accounting of disclosure) and amendment provisions of the Privacy Act (5 USC 552a (c)(3) and (d)) for several of its other systems of records under 5 USC 552a(k) (1), (2), (3), (4), (5), (6), and (7). During the course of developing a case file covered under this system, copies of the exempt records from these other systems may become part of the file. To the extent that this occurs, the Office has claimed the same exemptions for these copies as they have for the original documents.

Additionally, information within the scope of these exemptions may be developed by the Inspector General's staff during an investigation. These same exemptions are claimed for this developed information when the information is—

a. Classified material and pertains to the national defense and foreign policy (552a(k)(1)); or

b. Investigatory material compiled for law enforcement purposes (552a(k)(2)); or

c. Relates to providing protective services to the President or others (552a(k)(3)); or

d. Required by statute to be maintained and used solely as statistical records (552a(k)(4)); or

e. Investigatory material used in making suitability and qualification determinations and its release would reveal the identity of an individual who furnished information under an express or implied promise of confidentiality (552a(k)(5)); or

f. Testing or examining material the release of which would compromise the objectivity or fairness of the testing or examination process (552a(k)(6)); or

g. Evaluation material used to determine potential for promotion in the armed services, but only to the extent that release would reveal the identity of an individual who furnished information under an express or implied promise of confidentiality (552a(k)(7)).

OPM/CENTRAL—5

System name:

Intergovernmental Personnel Act Assignment Records.

System location:

Associate Director for Workforce Effectiveness and Development, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415. Courtesy copies of mobility assignment agreements may be sent to regional offices of the Office of Personnel Management for information purposes.

Categories of individuals covered by the system:

a. Current and former Federal employees who have completed or are presently on an assignment in a State or local government agency, an educational institution, or in Indian tribal government, or other organizations under the provisions of the Intergovernmental Personnel Act (IPA); or

b. Current or former State or local government or educational institution employees, employees of Indian tribal governments, or other organizations who have completed or are presently on an assignment in a Federal agency under the provisions of the Intergovernmental Personnel Act (IPA).

Categories of records in the system:

These records are comprised of a copy of the individual's IPA assignment agreement between a Federal agency and a State or local government, educational institution, Indian tribal government, or other organization; biographical and background information about the assignees; and records of interviews with assignee(s) which may be conducted after the IPA assignment has been completed.

Authority for maintenance of the system:

The Intergovernmental Personnel Act of 1970 (84 Stat. 1909), 5 U.S.C. 3371-3376, and E.O. 11589.

Purpose(s):

These records are maintained to document and track mobility assignments (including extensions, modifications, and terminations thereof) made under the Intergovernmental Personnel Act (IPA). Internally, the Office may use these records to locate individuals for personnel research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the Office of Personnel Management becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to a Federal agency, in response to its requests, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

c. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

d. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, when the Government is party to a judicial proceeding or in order to comply with the issuance of a subpoena.

e. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

f. By the Office of Personnel Management to locate individuals for personnel research or survey response and in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

g. To disclose information to any source from which additional information is requested (to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and to indentify the type of information requested), where necessary to obtain information relevant to an Office decision regarding possible termination of an assignment.

h. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

i. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such functions, e.g., as prescribed in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

j. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee

Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

k. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on cards and in file folders.

Retrievability:

Records are retrieved by the name of the individual on whom they are maintained.

Safeguards:

Records are maintained in a secured area with access limited to authorized personnel whose duties require access.

Retention and disposal:

Records are retained for 5 years from the signing of the agreement. Records are destroyed by shredding.

System manager(s) and address:

Associate Director for Workforce Effectiveness and Development, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

Notification procedure:

Individuals wishing to inquire whether this system contains information about them should contact the system manager. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Federal agency involved in the assignment.
c. Non Federal organization involved in the assignment.
d. Date of each assignment.

Record access procedures:

Individuals wishing to request access to records about them should contact the system manager. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Federal agency involved in the assignment.
c. Non Federal organization involved in the assignment.
d. Date of each assignment.

An individual requesting access must also follow the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Individuals wishing to request amendment of their records should contact the system manager. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Federal agency involved in the assignment.
c. Non Federal organization involved in the assignment.
d. Date of each assignment.

Individuals requesting amendment of their records must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Information in these records is provided by the individual subject of the records, by officials in the agencies, educational institutions, Indian tribal governments or other organizations where the individual is employed and where the individual is serving on the IPA assignment, or is obtained from agency personnel files and records.

OPM/CENTRAL–6

System name:

Administrative Law Judge Application Records.

System location:

Assistant Director Office of Administrative Law Judges, Staffing Group, Office of Personnel Management, 1900 E Street NW., Washington, D.C. 20415.

Categories of individuals covered by the system:

Persons who have applied for Administrative Law Judge positions in the Federal service or who are employees or former employees in Administrative Law Judge positions in the Federal service.

Categories of records in the system:

These records contain information on the education and training, employment history and earning, appraisals of past performance, convictions for offenses against the law, results of written tests, appraisals of potential, rating and ranking determinations and appeals of such determinations, honors, awards, or fellowships, and other background and biographical data on persons who are or were employees in Administrative Law Judge positions in the Federal service.

Authority for maintenance of the system:

5 U.S.C. 1305, 3105, and 3344.

Purpose(s):

These records serve as a basis for rating and ranking applicants for Administrative Law Judge positions in the Federal service, documenting the rating and ranking assigned, processing an appeal of a rating or ranking determination, and referring the ranked candidates to Federal agencies for employment consideration. The Office may use these records to locate individuals for personnel research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. To refer applicants to Federal agencies for employment consideration for Administrative Law Judge positions.

b. To refer current and former Administrative Law Judges to Federal agencies for consideration for detail, transfer, reassignment, reinstatement, or reemployment, as applicable.

c. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, when the Office of Personnel Management becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

d. To disclose information to any source (e.g., references, employers, educational institutions or applicant/appellant review panel members) from which additional information is requested (to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and to identify the type of information requested), when necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit.

e. To disclose information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

f. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

g. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

h. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

i. By the Office in the production of summary descriptive statistics and analytical studies to support the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances, the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

j. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

k. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions, e.g., as prescribed in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

l. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations of alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978, and to otherwise ensure compliance with the provisions of 5 U.S.C. 7201.

m. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on computer disks, cards, lists, forms, and in file folders.

Retrievability:

Records are retrieved by the name and social security number of the individual to whom they pertain.

Safeguards:

Records are maintained in a secured area and are available only to authorized personnel whose duties require access.

Retention and disposal:

Records are maintained for 7 years. Expired records are shredded or burned.

System manager(s) and address:

Assistant Director, Office of Administrative Law Judges, Staffing Group, Office of Personnel Management, 1900 E Street, NW., Washington, D.C. 20415.

Notification procedure:

Individuals wishing to inquire whether this system contains information about them should contact the system manager indicated. Individuals must furnish the following information for their records to be located and identified.

a. Full name and date of birth.

b. Social security number.

Record access procedures:

Specific materials in this system have been exempted from Privacy Act requirements at 5 U.S.C. 552a(c)(3) and (d), regarding access to records. The section of this notice titled "Systems Exempted from Certain Provisions of the Act," indicates the kinds of materials exempted and the reasons for exempting them from access. Individuals wishing to request access to other non-exempt records about them should contact the system manager indicated. Individuals must furnish the following information for their records to be located and identified.

a. Full name and date of birth.

b. Social security number.

An individual requesting access must also follow the Office's Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Specific materials in this system have been exempted from Privacy Act requirements regarding amendment of records at 5 U.S.C. 552a(d). The section of this notice titled "Systems Exempted from Certain Provisions of the Act," indicates the kinds of materials exempted and the reasons for exempting them from amendment. Individuals wishing to request amendment of other non-exempt records should contact the system manager indicated. Individuals must furnish the following information for their records to be located and identified.

a. Full name and date of birth.

b. Social security number.

An individual requesting amendment must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Information in this system of records comes from the individual to whom it applies or is derived from information he or she supplied, except for information on vouchers or otherwise provided that is:

a. Supplied by references, employers, or educational institutions listed by the applicant; or

b. Supplied by other sources whom the Office believes have information relevant to a decision regarding the qualifications, ratings, or ranking of the applicant or appellant.

Systems exempted from certain provisions of the act:

This system contains investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment. The Privacy Act, at 5 U.S.C. 552a(k)(5), permits an agency to exempt such material from certain provisions of the Act. Materials may be exempt to the extent that the release of the material to the individual whom the information is about would:

a. Reveal the identity of a source who furnished information to the Government under an express promise (granted on or after September 27, 1975) that the identity of the source would be held in confidence; or

b. Reveal the identity of a source who, prior to September 27, 1975, furnished information to the Government under an implied promise that the identity of the source would be held in confidence.

For material in this system meeting these criteria, the Office has claimed the (k)(5) exemption from the following provisions of the Act:

a. 5 U.S.C. 552a(c)(3)—This provision concerns providing an accounting of disclosures to the individual whom the records are about;

b. 5 U.S.C. 552a(d)—This provision regards access to and amendment of records.

This system contains testing and examining materials used solely to determine individual qualifications for appointment in the Federal service. The Privacy Act at 5 U.S.C. 552a(k)(6), permits an agency to exempt all such testing and examining material and information, when the disclosure of the material would compromise the objectivety or fairness of the testing or examination process. The Office has claimed exemptions from the requirements of 5 U.S.C. 552a(d), which related to access to and amendment of records.

OPM/CENTRAL—7

System name:

Litigation and Claims Records.

Security classification:

No security classification is assigned to the system as a whole; however, items of record within the system may bear a national defense/foreign policy classification of Confidential or Secret.

System location:

Office of the General Counsel, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

Categories of individuals covered by the system:

a. Individuals who make claims under the Military Personnel and Civilian Employees Claims Act of 1964.

b. Individuals who file civil actions against the Office, its officials, and employees;

c. Individuals who are parties to actions in which the Government is involved, but in which the Office's role is advisory to another agency; and

d. Individuals who file claims with the Office under the Federal Tort Claims Act.

Categories of records in the system:

This system includes the following kinds of records: Administrative appeals; investigative reports; retirement records; official personnel records; documentation of litigation including complaints, answers, motions, briefs, orders, and decisions; claims and supporting documentation submitted under the Federal Tort Claims Act and the Military Personnel and Civilian Employees Claims Act, together with correspondence and records of settlement; and final administrative determinations.

Authority for maintenance of the system:

5 U.S.C. 1301-1308; 28 U.S.C. 2672; 31 U.S.C. 241; and EO 10577.

Purpose(s):

These records are maintained to defend the Office against lawsuits and to settle administrative claims brought against the Office.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records may be used to disclose information:

a. To the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the Office of Personnel Management becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To any source where necessary to obtain information relevant to an Office decision or action involved in one of the purposes for maintenance of the system.

c. To a Federal agency, in response to its request in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

d. To a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

e. To disclose information to another Federal agency, to court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

f. To the National Archives and Records Administration (General Services Administration) for records management inspections conducted under authority of 44 USC 2904 and 2906.

g. By the Office of Personnel Management in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

h. To the insurance carrier of an employee of, or a claimant against, the Office under the Federal Tort Claims Act or the Military Personnel and Civilian Employees Claims Act in order to determine the proper assignment of any liability.

i. In response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

j. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions, e.g., as prescribed in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

k. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

l. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are retrieved by the name of the individual on whom they are maintained and, for litigation records, by civil action number.

Safeguards:

Records are available only to personnel whose duties require access.

Retention and disposal:

These records are maintained for 7 years. Expired records are shredded or burned.

System manager(s) and address:

Office of the General Counsel, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

Notification procedure:

Individuals wishing to inquire whether this system contains a record about them should contact the System manager. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Date of birth.
c. Description of type of record.
d. Court action number if applicable.

Record access procedures:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552a (c)(3) and (d), regarding access to records. The section of this notice titled Systems exempted from certain provisions of the Act, which appears below, indicates the kinds of materials exempted and the reasons for exempting them from access.

Individuals who wish to obtain access to their records must contact the system manager. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Date of birth.
c. Description of type of record.
d. Court action number if applicable.

Individuals requesting access must also comply with the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552a(d), regarding amendment of records. The section of this notice titled Systems exempted from certain provisions of the Act, which appears below, indicates the kinds of materials exempted and the reasons for exempting them from amendment.

Review of requests from individuals seeking amendment of their records which have previously been or could have been the subject of a judicial or quasi-judicial action will be limited in scope. Review of amendment requests of these records will be restricted to determining if the record accurately documents the action of the agency or administrative body ruling on the case, and will not include a review of the merits of the action, determination, or finding.

Individuals wishing to request amendment of their records to correct factual errors should contact the System manager. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Date of birth.
c. Description of type of record.
d. Court action number if applicable.

Individuals requesting amendment must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Information in this system of records is provided by:

a. The individual on whom the record is maintained.
b. Agency officials and records.
c. Records of administrative and court proceedings including statements of witnesses and documents.
d. Law enforcement agencies.
e. Witnesses.

Systems exempted from certain provisions of the act:

When litigation occurs, information from other systems of records may be incorporated into the case file. In certain instances, the incorporated information may be material which the Privacy Act, at 5 U.S.C. 552a(k) (1), (2), (3), (5), and (6), permits an agency to exempt from certain provisions of the Act. To the extent that such exempt material is incorporated into litigation file, the appropriate exemption ((k) (1), (2), (3), (5), and (6)) has also been claimed for the material as it appears in this system. The Office of the General Counsel, pursuant to 5 U.S.C. 552a(d)(5), reserves the right to refuse access to information compiled in reasonable anticipation of a civil action or proceeding.

Collection of information from other Office files may be necessary during litigation. Therefore, it is possible that this system may contain the following types of information:

a. Properly classified information, obtained from another Federal agency during the course of an investigation, which pertains to national defense and foreign policy. The Privacy Act, at 5 U.S.C. 552a(k)(1), permits an agency to exempt such materials from certain provisions of the Act.

b. Investigatory material compiled for law enforcement purposes in connection with the administration of the merit system. The Privacy Act, 5 U.S.C. 552a(k)(2), permits an agency to exempt such material from certain provisions of the act. Materials may be exempted to the extent that release of the material to the individual whom the information is about, would:

1. Impair the effectiveness of the investigative process;

2. Reveal the identity of a source who furnished information to the Government under an express promise (granted on or after September 27, 1975) that the identity of the source would be held in confidence; or

3. Reveal the identity of a source who, prior to September 27, 1975, furnished information to the Government under an implied promise that the identity of the source would be held in confidence.

c. Investigatory material maintained in connection with providing protective services to the President of the United States or other individuals pursuant to section 3056 of title 18. The Privacy Act at 5 U.S.C. 552a(k)(3), permits an agency to exempt such material from certain provisions of the Act.

d. Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civil service employment. The Privacy Act, at 5 U.S.C. 552a(k)(5), permits an agency to exempt such material from certain provisions of the Act. Materials may be exempted to the extent that release of the material to the individual whom the information is about, would:

1. Reveal the identity of a source who furnished information to the Government under an express promise (granted on or after September 27, 1975) that the identity of the source would be held in confidence; or,

2. Reveal the identity of a source who, prior to September 27, 1975, furnished information to the Government under an implied promise that the identity of the source would be held in confidence.

e. Testing and examination materials, compiled during the course of a personnel investigation, that are used solely to determine individual qualifications for appointment or promotion in the Federal service. The Privacy Act, at 5 U.S.C. 552a(k)(6), permits an agency to exempt all such testing or examination material and information from certain provisions of the Act, when disclosure of the material would compromise the objectivity or fairness of the testing or examination process.

The Office of Personnel Management has claimed these exemptions from the requirements of 5 U.S.C. 552a(c)(3) and (d). These requirements relate to providing an accounting of disclosures to the individual whom the records are about and access to and amendment of records.

OPM/CENTRAL—8

System name:

Privacy Act/Freedom of Information Act (PA/FOIA) Case Records.

System location:

a. Offices of the Office of Personnel Management, 1900 E Street, NW., Washington, D.C. 20415;

b. Regional and area offices of the Office of Personnel Management. (See list of OPM regional office addresses in the Appendix.)

Categories of individuals covered by the system:

This system contains records and related correspondence on individuals who have filed with the Office:

a. Requests for information under the provisions of the Freedom of Information Act (5 U.S.C. 552), including requests for review of initial denials of such requests; and

b. Requests under the provisions of the Privacy Act (5 U.S.C. 552a) for records about themselves, including:

(1) Requests for notification of the existence of records about them;

(2) Requests for access to these records;

(3) Requests for amendment of these records;

(4) Requests for review of initial denials of such requests for notification, access, and amendment; and

(5) Requests for an accounting of disclosures of records about them.

Note.—Since these PA/FOIA case records contain inquiries and requests regarding any of the Office's other systems of records subject to the Privacy Act, information about individuals from any of these other systems may become part of this PA/FOIA Case Records system.

Categories of records in the system:

This system contains correspondence and other documents related to request, made by individuals to the Office for:

a. Information under the provisions of the FOI Act (5 U.S.C. 552), including requests for review of initial denials of such requests; and

b. Information under provisions of the Privacy Act (5 U.S.C. 552a) and requests for review of initial denials of such requests made under the Office's Privacy Act regulations including request for:

(1) Notification of the existence of records about them;

(2) Access to records about them;

(3) Amendment of records about them;

(4) Review of initial denials of such requests for notification, access, or amendment; and

(5) Requests for an accounting of disclosure of records about them.

Authority for maintenance of the system:

The Privacy Act of 1974 (U.S.C. 552a), the Freedom of Information Act, as amended (5 U.S.C. 552), and 5 U.S.C. 301.

Purpose(s):

These records are maintained to process individual's requests made under the provisions of the Freedom of Information and Privacy Acts. The records are also used by the Office to prepare its annual reports to OMB and Congress required by the Privacy and Freedom of Information Acts.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. To disclose information to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

b. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

c. To disclose information to a Federal agency or to a court when the Government is a party to a judicial proceeding before the court.

d. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

e. By the Office of Personnel Management in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

f. To disclose information to an agency, subject to law, rule, or regulation enforced by the Office, having been found in violation of such law, rule, or regulation, in order to achieve compliance with Office instructions.

g. To disclose information to Federal agencies (e.g., Department of Justice) in order to obtain advice and recommendations concerning matters on which the agency has specialized experience or particular competence, for use by the Office in making required determinations under the Freedom of Information Act or the Privacy Act of 1974.

h. To disclose information to any source from which additional information is requested (to the extent necessary to identify the individual, inform the source of the purpose of the request, and to identify the type of information requested), where necessary to obtain information relevant to an Office decision concerning a Privacy or Freedom of Information Act request.

i. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

j. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

k. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the Office of Personnel Management becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

l. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions, e.g., as prescribed in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

m. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination complaints in the Federal sector, examination of Federal Affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

n. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained as a paper copy of correspondence in file folders, binders, and on index cards.

Retrievability:

Records are retrieved by the name of the individual on whom they are maintained and year of the request.

Safeguards:

These records are located in lockable metal filing cabinets or in a secured room, with access limited to personnel whose duties require access.

Retention and disposal:

These records are retained from 2 to 5 years after the final Office action on the case. Records are destroyed by shredding, burning, or the equivalent.

System manager(s) and address:

The appropriate Associate or Assistant Director, the General Counsel, or Regional Directors, Office of Personnel Management, is System manager for Privacy Act/Freedom of Information Case Records maintained in that office. Associate and Assistant Director's offices and the Office of the General Counsel are located at: Office of Personnel Management, 1900 E Street, N.W., Washington, D.C. 20415. For regional offices, see the list of OPM regional office addresses in the Appendix.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager at the appropriate office or region where their original Privacy Act or Freedom of Information Act requests were sent, or from where they received responses to such requests. Individuals must furnish the following information for their records to be located and identified:

a. Name.

b. Date of birth.

c. Approximate dates of Privacy Act/FOI Act correspondence between OPM and the individual.

Record access procedures:

Material from other Office systems of records which are exempt from certain Privacy Act requirements may be included in this system as part of a PA/FOIA case record. Such material retains its exemption if it is included in this system of records. The section of this notice titled Systems exempted from certain provisions of the Act, which appears below, explains the exemptions for this system. Individuals wishing to request access to their records should contact the system manager at the appropriate office or region where their original Privacy Act or Freedom of Information Act request was sent, or from which they received responses to such requests. Individuals must furnish the following information for their records to be located and identified:

a. Name.

b. Date of birth.

c. Approximate dates of Privacy Act/FOI Act correspondence between OPM and the individual.

Individuals requesting access must also comply with the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 or 297.203).

Contesting record procedures:

Material from other Office systems of records which are exempt from certain Privacy Act requirements may be included in this system as part of a PA/FOIA case record. Such material retains its exemption if it is included in this system of records. The section of this notice titled Systems exempted from certain provisions of the Act, which appears below, explains the exemptions for this system. Individuals wishing to request amendment to their records should contact the system manager at the appropriate office or region where their original Privacy Act or Freedom of Information Act requests were sent, or from which they received responses to such requests. Individuals must furnish the following information for their records to be located and identified:

a. Name.

b. Date of birth.

c. Approximate dates of Privacy Act/FOI Act correspondence between OPM and the individual.

Individuals requesting amendment must also comply with Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 or 297.208).

Note.—The amendment provisions for this system are not intended to permit an individual a second opportunity to request amendment of a record which was the subject of the initial Privacy Act amendment request which created the record in this system. That is, after an individual has requested amendment of a specific record in an Office system under provisions of the Privacy Act, that specific record may itself become part of this system of Privacy Act/FOI Act Case Records. An individual may not subsequently request amendment of that specific record again, simply because a copy of the record has become part of this second system of Privacy Act/FOI Act Case Records.

Record source categories:

Information in this system of records comes from:

a. The individual who is the subject of the records.

b. Office officials who respond to Privacy Act/FOI Act request.

c. Official personnel documents of the Office, including records from any other Office system of records included in this notice.

d. Other sources whom the Office believes have information pertinent to an Office decision on a Privacy Act or Freedom of Information Act request.

e. Other agencies referring the request to the Office.

Systems exempted from certain provisions of the act:

The Office of Personnel Management has claimed exemptions for several of its other systems of records under 5 U.S.C. 552a(k) (1), (2), (3), (5), and (6). During the course of a PA/FOIA action, exempt materials from those other systems may become part of the case record in this system. To the extent that copies of exempt records from those other systems are entered into these PA/FOIA Case Records, the Office has claimed the same exemptions for the records as they have in the original primary systems of records of which they are a part.

OPM/CENTRAL—9

System name:

Personnel Investigations Records.

Security classification:

None for the system. However, items or records within the system may have national defense/foreign policy classifications up through secret.

System location:

a. Primary system: Assistant Director for Personnel Investigations, Compliance and Investigations Group, Office of Personnel Management, Washington, D.C. 20415, and the Federal Records Center, Suitland, Maryland.

b. Decentralized segments: Copies of these records may exist temporarily in agencies on current employees, former employees, or on contractor employees. These copies may be located in the personnel security office or other designated offices responsible for suitability, security clearance, access, or hiring determinations on the individual. ("Agency" as used throughout this system is deemed to include Legislative and Judicial branch establishments as well as those in the Executive Branch).

Categories of individuals covered by the system:

a. Current and former employees or applicants for employment in the Federal service, including agency offices or establishments in the executive, legislative, and judicial branches, and in the Government of the District of Columbia.

b. American citizens who are current or former employees or applicants for employment with International Organizations.

c. Individuals considered for access to classified information or restricted areas and/or security determinations as contractors, experts, instructors, and consultants to Federal programs.

d. Individuals considered for assignment as representatives of the Federal Government in volunteer programs.

e. Individuals who are neither applicants nor employees of the Federal Government, but who are or were involved in Federal programs under a co-operative assignment or under a similar agreement.

f. Individuals who are neither applicants nor employees of the Federal Government, but who are or were involved in matters related to the administration of the merit system.

Categories of records in the system:

These records contain investigative information regarding an individual's character, conduct, and behavior in the community where he or she lives or lived; arrests and convictions for violations against the law; reports of interviews with present and former supervisors, co-workers, associates, educators, etc.; reports about the qualifications of an individual for a specific position and correspondence files and index cards relating to adjudication matters; reports of inquiries with law enforcement agencies, employers, educational institutions attended; reports of action after OPM or FBI Section 8(d) Full Field Investigation; Notices of Security Investigation; and other information developed from the above.

Note.—This system does not include those agency records of a personnel investigative nature that do not come to the Office of Personnel Management.

Authority for maintenance of the system:

The authorities for maintenance of the system are indicated below:

a. Section 2, Civil Service Act of 1883—original authority.

b. Title 5, CFR Part 5.

c. Sections 1303, 1304, and 3301, title 5, U.S.C.

d. Sections 7, 8(b), 8(c), and 14 of Executive Order 10450.

e. Section 7701, title 5, U.S.C.

f. Pub. L. 92-261 and 5 CFR 713.216 and 713.220.

g. Section 2165, title 42, U.S.C.

h. Section 2585, title 22, U.S.C.

i. Executive Order 10422, as amended.
j. Executive Order 9397.
k. Section 1434, title 22, U.S.C.
l. Section 686, title 31, U.S.C.
m. Section 2455, title 42, U.S.C.
n. Pub.L. 82-298.
o. Section 1874(c), title 42, U.S.C.
p. Section 2519, title 22, U.S.C.

q. In addition to the provisions cited above, there are various acts of Congress that contain implied authority for the Office to investigate, such as laws prohibiting the purchase and sale of office, holding of two offices, conspiracy and other prohibitory statutes.

Purpose(s):

The purposes of this system are:

a. To provide investigatory information for determination concerning compliance with Federal personnel regulations and for individual personnel determinations including suitability and fitness for Federal employment, access and security clearances, evaluations of qualifications, loyalty to the U.S., and evaluations of qualifications and suitability for performance of contractual services for the U.S. Government;

b. To document such determinations;

c. To provide information necessary for the scheduling and conduct of the required investigations;

d. To otherwise comply with mandates and Executive orders; and

e. These records may also be used to locate individuals for personnel research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used in disclosing information:

a. To designated officers and employees of agencies, offices, and other establishments in the executive, legislative, and judicial branches of the Federal Government, and the District of Columbia Government, having an interest in the individual for employment purposes, including a security clearance or access determination, and the need to evaluate qualifications, suitability, and loyalty to the United States Government.

b. To designated officers and employees of agencies, offices, and other establishments in the executive, legislative, and judicial branches of the Federal Government, and the District of Columbia government, when such agency, office, or establishment conducts an investigation of the individual for the purpose of granting a security clearance, or for the purpose of making a determination of qualifications, suitability, or loyalty to the United States Government, or access to classified information or restricted areas.

c. To designated officers and employees of agencies, offices, and other establishments in the executive, legislative, and judicial branches of the Federal Government, and the District of Columbia Government, having the responsibility to grant clearances make a determination regarding access to classified information or restricted areas, or to evaluate qualifications, suitability, or loyalty to the United States Government, in connection with performance of a service to the Federal Government under a contract or other agreement.

d. To the intelligence agencies of the Department of Defense, the National Security Agency, the Central Intelligence Agency, and the Federal Bureau of Investigation for use in intelligence activities.

e. To any source from which information is requested in the course of an investigation, to the extent necessary to identify the individual, inform the source of the nature and purpose of the investigation, and to identify the type of information requested.

f. To the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation or order where the Office of Personnel Management becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

g. To an agency, office, or other establishment in the executive, legislative, or judicial branches of the Federal Government, or the District of Columbia Government, in response to its requests, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

h. To Federal agencies as a data source for management information through the production of summary descriptive statistics and analytical studies in support of the functions for which the records are maintained or for related studies.

i. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

j. To another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

k. To the National Archives and Records Administration (General Services Administration) for records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

l. To the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

m. To respond to a request for discovery or for appearance of a witness, when relevant to the subject matter involved in a pending judicial or administrative proceeding.

n. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions, e.g., as promulgated in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

o. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

p. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and on index cards.

Retrievability:

Records are retrieved by the name of the individual on whom they are maintained.

Safeguards:

Folders are maintained in a room with a manipulation-proof combination lock and an intrusion alarm system; or in metal file cabinets secured by three position combination locks. The index to the system and those records which are maintained on index cards are contained in covered and locked rotary Wheeldex machines. All employees are required to have an appropriate security clearance before they are allowed access to the records.

Retention and disposal:

a.Index cards which show the scheduling or completion of an investigation, and investigative files, if any, are retained for 20 years, plus the current year from the date of the most recent investigative activity. Other index cards which show no investigative record other than the completion of a clear National Agency Check or a clear National Agency Check and Inquiry, and where no investigative file folder exists, are retained for two years plus the current year.

b.Reports of action after OPM or FBI section 8(d), background investigation are retained for the life of the investigative file.

c. Notices of Security Investigations are retained for 20 years. All records are destroyed by burning.

System manager(s) and address:

Assistant Director for Personnel Investigations, Compliance and Investigations Group, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

Notification procedure:

Individuals wishing to inquire whether this system contains information about them should contact the System manager in writing. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Date of birth.
c. Social Security Number.
d. Signature.
e. Any available information regarding the type of record involved.
f. The category of covered individuals under which the requester believes he or she fits.

Record access procedures:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552a(c)(3) and (d), regarding access to records. The section of this notice titled Systems exempted from certain provisions of the Act, which appears below, indicates the kinds of material exempted and the reasons for exempting them from access. Individuals wishing to request access to their records should contact the system manager in writing. Requests should be directed only to the System manager whether the record sought is in the primary system or in an agency's decentralized segment.

Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Date of birth.

c. Social Security Number.

d. Signature.

e. Any available information regarding the type of record involved.

f. The category of covered individuals under which the requester believes he or she fits.

Individuals requesting access must also comply with the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552a(d), regarding amendment to records. The section of this notice titled Systems exempted from certain provisions of the Act, which appears below, indicates the kinds of material exempted and the reasons for exempting them from amendment. Individuals wishing to request amendment to their non-exempt records should contact the system manager in writing. Requests should be directed only to the system manager, whether the record sought is in the primary system or in an agency's decentralized segment. Individuals must furnish the following information for their records to be located and identified.

a. Full name.

b. Date of birth.

c. Social Security Number.

d. Signature.

e. Any available information regarding the type of record involved.

f. The category of covered individuals under which the requester believes he or she fits.

Individuals requesting amendment must also comply with the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.20[illegible]).

Note.—Where an agency retains the d[illegible] copy of the investigative report provided by OPM, requests for access to or amendment of such reports will be forwarded to the system manager for processing.

Record source categories:

Information contained in the system was obtained from the following categories of sources:

a. Applications and other personnel and security forms furnished by the individual.

b. Investigative and other record material furnished by Federal agencies.

c. Notices of personnel actions furnished by Federal agencies.

d. By personal investigation or written inquiry from sources such as employers, educational institutions, references, neighbors, associates, police departments, courts, credit bureaus, medical records, probation officials, prison officials, newspapers, magazines, periodicals, and other publications.

Systems exempted from certain provisions of the act:

This system may contain the following types of information:

a. Properly classified information, obtained from another Federal agency during the course of a personnel investigation, which pertains to national defense and foreign policy. The Privacy Act, at 5 U.S.C. 552a(k)(1), permits an agency to exempt such materials from certain provisions of the Act.

b. Investigatory material compiled for law enforcement purposes is connection with the administration of the merit system. The Privacy Act, at U.S.C. 552a(k)(2), permits an agency to exempt such material from certain provisions of the Act. Application of exemption (k)(2) may be necessary to preclude the data subject's access to and amendment of the record.

c. Investigatory material maintained in connection with providing protective services to the President of the United States or other individuals pursuant to section 3056 of title 18 of the U.S. Code. The Privacy Act at 5 U.S.C. 552a(k)(3), permits an agency to exempt such material from certain provisions of the Act.

d. Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment. The Privacy Act, at 5 U.S.C. 552a(k)(5), permits an agency to exempt such material from certain provisions of the Act. Materials may be exempted to the extent that release of the material to the individual whom the information is about would:

1. Reveal the identity of a source who furnished information to the Government under an express promise (granted on or after September 27, 1975) that the identity of the source would be in confidence; or,

2. Reveal the identity of a source who, prior to September 27, 1975, furnished information to the Government under an implied promise that the identity of the source would be held in confidence.

e. Testing and examination materials, compiled during the course of a personnel investigation, that are used solely to determine individual qualifications for appointment or promotion in the Federal service. The Privacy Act, at 5 U.S.C. 552a(k)(6), permits an agency to exempt all such testing or examination material and information from certain provisions of the Act, when disclosure of the material would compromise the objectivity or fairness of the testing or examination process.

The Office of Personnel Management has claimed these exemptions from the requirements of 5 U.S.C. 552a (c)(3) and (d). These requirements relate to providing an accounting of disclosures to the individual whom the records are about and access to and amendment of records.

OPM/CENTRAL—10

System name: Director of Federal Executive Institute Alumni

System location: Federal Executive Institute, Office of Personnel Management, Route 29 North, Charlottesville, Va. 22903.

Categories of individuals covered by the system: All Federal, State, and local government employees (both current and former), international executives, former faculty and staff, and Fellowship students who have attended long term programs at the Federal Executive Institute.

Categories of records in the system: This system contains the name, position title, office address and phone number, agency, FEI program attended and, with the approval of the individual, home address and telephone number, of alumni of FEI programs.

Authority for maintenance of the system: 5 U.S.C. 301 and 4117.

Purpose(s):

The Director is used by FEI alumni to maintain contact with other alumni and to provide them with information to continue their educational experiences. Copies of the Directory are made available to FEI alumni to allow them to maintain relationships developed at the Institute in order to continue educational experiences and to promote intergovernmental cooperation. These records may be used to locate individuals for personnel research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

a. To disclose information to Federal agencies to assist them in planning for executive development programs.

b. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

c. To provide information to the Federal Executive Institute (FEI) Alumni Association for the purpose of mailing association materials to an alumni's home or business address.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In addition to its appearance in the Directory, information will be maintained on FEI mailing lists, on forms used to collect the data, and on automated media.

Retrievability: Records are retrieved by the name of the individual on whom they are maintained. Records may also be retrieved by agency, location, and FEI program.

Safeguards: Records kept by FEI officials are maintained in a secured area with access limited to those authorized personnel at FEI whose duties require access. Because home addresses and phone numbers are included in the Directory, distribution of the Directory is limited to FEI Alumni, and the listed routine users. Those users are notified by a notice placed in the Directory not to make it available for commercial purposes. In addition:

a. At the request of the individual, his or her home address and phone number will not be included in the Directory;

b. At the request of the employing agency, information relating to the individual's status (i.e., position title) will be excluded from the Directory.

Retention and disposal: Obsolete information will be deleted from automated records.

System manager(s) and address: Registrar, Federal Executive Institute, Office of Personnel Management, Route 29 North, Charlottesville, Va. 22903.

Notification procedure: All individuals included in the system receive a copy of the Directory. Individuals requiring additional information about their inclusion in the system should contact the system manager named above. Individuals must furnish the following information for their records to be located and identified:

a. Name.
b. Agency.
c. FEI program(s) attended and date(s).

Record access procedures: All record information in the system is included in the Directory. Individuals wishing to request access to other forms in the system which contain the same information should contact the system manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Name.
b. Agency.
c. FEI program(s) attended and date(s).

Individuals requesting access must also follow the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures: Individuals wishing to request amendment of records about them should contact the system manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Name.
b. Agency.
c. FEI program(s) attended and date(s).

Individuals requesting amendment must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records. (5 CFR 297.201 and 297.208).

Record source categories: All information in the system comes from the individuals to whom the records pertain.

OPM/CENTRAL—11

System name:

Presidential Management Intern Program Records.

System location:

Associate Director for Workforce Effectiveness and Development, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

Categories of individuals covered by the system:

Current and former interns and students pursuing graduate degrees in public management who have been nominated by their universities for consideration under the Presidential Management Intern Program.

Categories of records in the system:

These records contain information about the covered individuals relating to name, social security number, date of birth, academic background, home address, home telephone number, employment history, veteran preference, and other personal history information needed during the evaluation and selection process. This system will also contain evaluation statements from the nominating universities and confidential information developed during the regional screening process and final panel evaluations.

Authority for maintenance of the system:

Executive Orders 12008 and 9397.

Purpose(s):

These records are used by Program personnel for the following reasons:

a. To determine basic program eligibility and to evaluate the nominees in a regional screening process conducted by OPM regional officials with the participation of agency managers, and State and local government representatives;

b. To group the nominees into various categories (finalists, alternatives, and non-selectees) and then make a final determination as to those candidates who will be referred to the agencies for employment consideration; and

c. For program evaluation functions to determine the effectiveness of the program and to improve program operations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. To refer candidates to Federal agencies for employment consideration.

b. To refer candidates to State and local governments, congressional offices, international organizations, and other public offices with permission of the candidates, for the purpose of employment consideration.

c. To refer interns for consideration for reassignment and promotion within the employing agencies.

d. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel research functions or manpower studies, or to locate individuals for personnel research.

e. To refer pertinent information to the appropriate Federal, State, or local agency responsible for investigating prosecuting, enforcing, or implementing a statute, rule, regulation, or order where there is an indication of a violation or potential violation of civil or criminal law or regulation.

f. To request information from a Federal, State, or local agency maintaining civil, criminal, or other information relevant to an agency decision concerning the hiring or retention of a candidate.

g. To provide an educational institution with information on an appointment of a recent graduate to a Federal position at a certain grade level.

h. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

i. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

j. To disclose, in response to a request for discovery or for an appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

k. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions, e.g., as prescribed in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

l. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

m. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained on forms, lists, punched cards, and magnetic tapes.

Retrievability:

Records are indexed by name of nominee, school, State of legal residence, Social Security Number, and any combination of the above.

Safeguards:

Records are maintained in lockable metal file cabinets and in a computerized system accessible to only those program managers whose official duties necessitate such access. Confidential passwords are required for access to these automated records.

Retention and disposal:

Automated records are retained for up to ten years. Manual records are retained for up to five years. Tapes are erased and manual records are burned or shredded.

System manager(s) and address:

Associate Director for Workforce Effectiveness and Development, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

Notification procedure:

Inquiries, including name, address, and nominating university should be addressed to the system manager named above.

Record access procedures:

Specific material in this system has been exempted from Privacy Act provisions at 5 U.S.C. 552a(d), regarding access to and amendment of records. The section of the notice titled Systems exempted from certain provisions of the Act, which apears below, indicates the kinds of materials exempted and the reasons for exempting them from access. Current or former Presidential Management Interns or nominees who wish to gain access to their non-exempt records should direct such a request in writing to the System manager indicated above. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Address.
c. Academic year of nomination.
d. Nominating University.

Individuals must also comply with the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Specific material in this system has been exempted from Privacy Act provisions at 5 U.S.C. 552a(d), regarding access to and amendment of records. The section of the notice titled Systems exempted from certain provisions of the Act, which appears belows, indicates the kinds of materials exempted and the reasons for exempting them from amendment. Current or former Presidential Management Interns or nominees wishing to request amendment of their non-exempt records should contact the system manager named above. Individuals must furnish the following information for their records to be located and identified.

a. Full name.
b. Address.
c. Academic year of nomination.
d. Nominating University.

Individuals must also comply with the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Information in this system of records originates from the individual to whom its applies, nominating university deans, Federal, State and local officials involved in the screening and selection process, and employing agencies.

Systems exempted from certain provisions of the act:

This system contains testing and examination materials that are used solely to determine individual qualifications for appointment or promotion in the Federal service. The Privacy Act at 5 U.S.C. 552a(k)(6), permits an agency to exempt all such testing or examination material and information from certain provisions of the Act when disclosure of the material would compromise the objectivity or fairness of the testing or examination process. The Office of Personnel Management has claimed exemptions from the requirements of 5 U.S.C. 552a(d), which relate to access to and amendment of records, for any such testing or examination materials in the system.

OPM/CENTRAL-12

System name:

Survey Information Records.

Subsystem A: Assessment of the Impact of the Civil Service Reform Act.

Subsystem B: Federal Employee Attitude Survey.

Subsystem C: Comparative Assessment of Upward Mobility Programs.

Subsystem D: Evaluation of Federal Employee Counseling Services Programs.

System location:

Records in this system may be located at any of the Office of Personnel Management's central or regional offices or with private sector contractors participating in the conduct of the survey.

Subsystem A: Records are retained by the contractor, i.e., University of California at Irvine, University of Michigan, and Case Western Reserve University.

Subsystem B: Records are retained by the contractor, Westinghouse Learning Corporation Division, Iowa City, Iowa.

Subsystem C: Records are retained by the contractor, the Granville Corporation, Washington, D.C.

Subsystem D: Records are retained by the contractor, Macro Systems, Inc., Silver Spring, Md.

Categories of individuals covered by the system:

Subsystem A: Current and former Federal employees and members of the public who are recipients of Federal services or products.

Subsystem B: Current Federal employees.

Subsystem C: Current and former Federal employees.

Subsystem D: Current and past clients of Employee Counseling Service Programs, current employees, supervisors, management officials and employee counseling services program administrators/coordinators at selected agencies and installations.

Categories of records in the system:

Information in this system, both manual and automated, includes:

a. Demographic data, e.g., including but not limited to names, home or business address, age, sex, employment and educational history data, description of present assignment and duties (current Federal employees), and a description of the nature of association with a Federal agency (non-Federal recipients of Federal services and products).

b. Responses to questionnaires that call for specific details regarding the implementation of agency programs and their impact on the respondent's duties, work environment, performance, or other work related issues (current Federal employees) or on the actual manner and method by which services or products are provided as well as any improvement or deterioration in these areas (recipients of services/products).

c. Responses that call for opinions or judgments on the part of respondents concerning their perception on how programs and new procedures have affected agency performance, employee morale, mission accomplishment, and service to the public.

d. Self-identification as to race, sex, ethnicity, or handicap where appropriate.

Although it is not possible to foresee all information to be collected, these data elements would constitute what is sought for the majority of surveys conducted. Where the survey seeks significant additional data, the Federal Register notice for the survey will identify the specific information to be maintained beyond that identified here.

Subsystem A: This subsystem will contain no additional records beyond those listed in the "Categories of records" section.

Subsystem B: This subsystem will contain no additional records beyond those listed in the "Categories of records" section for Federal employees.

Subsystem C: This subsystem will contain no additional records beyond those listed in the "Categories of records" section for Federal employees.

Subsystem D: In addition to the records listed in the "Categories of records" section, this subsystem will contain records identifying participants of specific counseling programs, medical and quasi-medical records relating to participants, and records relating to medical situations.

Authority for maintenance of the system:

The Office of Personnel Management is authorized to regulate (and thus to survey the impact of those regulations) various aspects of the personnel management practices and policies of Federal agencies under various sections of title 5 of the United States Code, including sections 1104, 1302, 3136, 3502, 3595, 4118, 4315, 4702, 4706, 5115, 5338, 5405, 6311, 7504, 7514, 8347, 8716, and 8913 or other status or Executive orders. Additionally sections 7105, 7118, and 7132 provide for an Office role in the functions described therein.

Subsystem A: One or more of the authorities cited, above.

Subsystem B: 5 U.S.C. 4702.

Subsystem C: 5 U.S.C. 4702.

Subsystem D: 5 U.S.C. 4702, 42 U.S.C. 4561 et seq. and 21 U.S.C. 1180 et seq.

Purpose(s):

Information in this system will be used to develop statistical reports on agency personnel management practices and policies. Information will also be used to determine the impact of Office regulations in those areas, as well as the impact of changes in the Federal civil service mandated by statute or Executive order. Maintenance of a system of records as defined by the Privacy Act is necessary so that longitudinal surveys of Federal employees and non-Federal recipients of Federal services/products can be made.

Subsystem A: The purpose of this subsystem is to assess the impact of the Civil Service Reform Act on personnel management.

Subsystem B: The purpose of this subsystem is to assess the attitudes of supervisors/managers and senior level executives toward the recent reforms in the civil service system.

Subsystem C: The purpose of this subsystem is to determine and compare the effectiveness of Upward Mobility Programs and to ascertain the perceptions of the value of these programs by participants and their supervisors/managers.

Subsystem D: The purpose of this subsystem is to provide evaluative research which will assist Federal managers in making practical decisions regarding program planning and implementation of Federal employee counseling service programs.

The objectives of the research are as follows:

(1) To evaluate organizational cost-effectiveness and loss or gain in productivity as a result of selected Federal employee counseling services programs.

(2) To identify effects of those programs upon employees, supervisors and managers.

(3) To define, identify and analyze characteristics of successful programs.

(4) To identify inhibitors to effective program implementation and operation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

By the Office of Personnel Management or the contractor in the production of summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained, or related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

Subsystem A: None, other than as shown above.
Subsystem B: None, other than as shown above.
Subsystem C: None, other than as shown above.
Subsystem D: None, other than as shown above.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

For all subsystems, records will be stored as a manual, automated or hybrid system.

Manual records are maintained in file folders, on questionnaires, lists, and forms. Automated records in computer processible storage media.

Subsystem A: A hybrid system.
Subsystem B: A hybrid system.
Subsystem C: A hybrid system.
Subsystem D: A hybrid system.

Safeguards:

For all subsystems, records are to be stored in locked file cabinets or secured rooms. Access to manual or automated records is limited to specially designated OPM and contractor personnel.

Subsystem A: These survey records are available for review only by OPM and contractor personnel.

Subsystem B: These survey records are available for review only by contractor personnel.

Subsystem C: These survey records are available for review only by contractor personnel.

Subsystem D: These survey records are available for review only by contractor personnel.

Retention and disposal:

In each subsystem, individually identifiable information may be destroyed in a relatively short period of time, e.g., as soon as practicable after aggregate statistics are compiled or after any follow-up request for an individual's voluntary participation in the survey.

Computerized records and statistical reports based on the data collected with all identifiers removed may be retained indefinitely. Other records are retained up to one year after completion of the survey.

Manual records are burned or shredded while automated records are erased.

Subsystem A: This subsystem will continue for a period of 4 years and some records will last the duration of the survey.

Subsystem B: The records in this subsystem will be destroyed at the completion of each survey, the final being concluded 1985.

Subsystem C: The records in this subsystem will be destroyed by the contractor at the completion of the survey, approximately May 1983.

Subsystem D: Identifiable data will be retained until 6 months after completion of the project.

Note:—Where the Office, in conducting a survey, contracts with non-Federal parties, the contracts shall stipulate agreement to the above procedures on the part of the contractor.

System manager(s) and address:

For all subsystems, the system manager is (unless changed in the notice for the subsystem) the Chief, CSRA Evaluation Management Division, Office of Planning and Evaluation, Office of Personnel Management (Room 3305), 1900 E Street NW, Washington, D.C. 20415.

Subsystem A: As shown above.
Subsystem B: As shown above.
Subsystem C: As shown above.

Subsystem D: Program Manager, Employee Counseling Services, Employee Health Services Branch, Office of Performance and Productivity Management, Work Force Effectiveness and Development, Office of Personnel Management (Room 9331), 1100 L St., NW, Washington, D.C.

Notification procedure:

For all subsystems, individuals wishing to inquire whether this system of records contains information about them should contact:

a. The OPM office conducting the survey, if known, or the system manager.

b. When the survey is being conducted by a non-Federal contractor, the specific contractor involved; or

c. The office specified in the Federal Register notice announcing the subsystem if different from "a" or "b" of this section.

Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Nature of participation (Federal employee or non-Federal employee).

c. Agency where employed (if appropriate) when the survey was conducted.

d. Any additional identifiers as shown in the Federal Register announcement of the subsystem.

Record access procedures:

Unless otherwise specified in the Federal Register notice for the subsystem, any individuals wishing to request access to their records should contact the OPM sponsoring office, the system manager, or the contractor as appropriate. Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Nature of participation (Federal employee or non-Federal employee).

c. Agency where employed (if appropriate) when the survey was conducted.

d. Approximate date and nature of the survey.

Individuals requesting access must also comply with the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Unless otherwise specified in the Federal Register notice for the subsystem, individuals wishing to request amendment to their records should contact the OPM sponsoring office conducting the survey, the system manager, or the contractor as appropriate. Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Nature of participation (Federal employee or non-Federal employee).

c. Agency where employed (if appropriate) when the survey was conducted.

d. Approximate date and nature of the survey.

Individuals requesting amendment must comply with the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Unless specified in the Federal Register notice for the subsystem, all subsystems obtain information from individual participants of the survey from Office or agency personnel records, and from labor organizations.

OPM/CENTRAL—13

System name:

Executive Personnel Records.

System location:

Associate Director, Administration Group, Office of Personnel Management, 1900 E Street, NW, Washington, D.C. 20415.

Categories of individuals covered by the system:

Current and former appointees in the Senior Executive Service and civil service applicants for such positions whose applications have been submitted to OPM or agencies for a determination of executive (managerial) qualifications, and current and former incumbents of executive level, General Schedule 16-18, and Scientific and Professional positions in research and development.

Categories of records in the system:

These records include:

a. Demographic, appointment, and assignment information (e.g., name, home address, date of birth, Social Security Number, race and ethnic designation, title of position, pay rate, and type of appointment);

b. Background data on work experience, educational experience, publications or awards (includes performance summary ratings and any performance, rank, or incentive awards received), and career interests;

c. Determinations on nominees for Meritorius and Distinguished Executive ranks;

d. Determinations concerning executive (managerial) qualifications (i.e., Qualification Review Board records);

e. Information on performance of SES members (e.g., performance appraisal summary ratings, performance awards, and incentive awards);

f. Information relating to participants (current and former) in the sabbatical leave program (e.g., dates of participation and reasons for the leave);

g. Applications from individuals who, within the 90-day period provided for under 5 U.S.C. 3593(b), seek reemployment in the Senior Executive Service;

h. Information concerning the reason(s) why an individual leaves the SES (e.g., to enter private industry, to work for a State government, or removed during probation or after, because of performance); and

i. Information about the recruitment of individuals for SES positions (e.g., recruited from another Federal agency or from outside the Federal service).

Note.—Automated and manual duplicates of records in this system, maintained by agencies for purposes of actual administration of the SES, along with other records agencies have on Federal executives are not considered part of this system. Such records are considered general personnel records and are covered by the OPM/GOVT-1, General Personnel Records system.

Authority for maintenance of the system:

Title 5, U.S. Code, Sections 2101a; 3131 through 3136; 3391 through 3397; 3591 through 3595; 4311 through 4315; 4507; 5381 through 5385; 5752; and 7541 through 7543.

Purpose(s):

The records are used to: (1) Assist the Office in carrying out its responsibilities under title 5 U.S. Code, and Office rules and regulations promulgated thereunder, including the establishment of SES positions by agencies, development of qualification standards for SES positions, establishment and operation of one or more qualifications review boards, establishments of programs to develop candidates for and incumbents of the SES, and development of performance appraisal systems; (2) pursuant to section 415 of the Civil Service Reform Act, assist the Office in meeting its mandate to evaluate the effectiveness of the Senior Executive Service and manner in which such Service is administered; (3) provide data used in policy formulation, program planning research studies, and required reports regarding the Government-wide SES program; and (4) locate specified groups of individuals for personnel research (while protecting their individual privacy).

Race and ethnic data and performance appraisal summary ratings are collected for statistical use only.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. To identify and refer qualified current or former Federal employees to Federal agencies for vacancies in the Senior Executive Service.

b. To refer qualified current or former Federal employees or retirees to State and local governments and international organizations for employment consideration.

c. To provide an employing agency with extracts from the records of that agency's employees in the system.

d. To provide information required in the annual report to Congress mandated by 5 U.S.C. 3135 and elsewhere, regarding positions in the SES and the incumbents of these positions.

e. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

f. By the Office of Personnel Management to locate individuals for personnel research or survey response and in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

g. To disclose information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

h. To the National Archives and Records Administration (General Services Administration) for records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

i. To disclose information to another Federal agency, to a court, or a party in litigation beforea court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

j. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

k. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations investigations of alleged or possible prohibited personnel practices, and such other functions, e.g., as prescribed in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

l. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment program, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978, and to otherwise ensure compliance with the provisions of 5 U.S.C. 7201.

m. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

n. To disclose information to any member of an agency's Performance Review Board or other board or panel (e.g., one convened to select or review nominees for awards of merit pay increases), when the member is not an official of the employing agency; information would then be used for the purposes of approving or recommending selection of candidates for executive development programs, issuing a performance appraisal rating, issuing performance awards, nominating for Meritorious and Distinguished Executive ranks, and removal, reduction-in-grade, and other personnel actions based on performance.

o. To provide information to the White House on executives: with noncareer appointments in the Senior Executive Service under 5 U.S.C. 3133(a)(7); in positions in the General Schedule filled by noncareer executive assignments under 5 CFR Part 305, Subpart F; in excepted positions paid at Executive Schedule pay rates under 5 U.S.C. 5311; and in other positions at General Schedule grades 16 to 18, or equivalent, filled by presidential appointment; in positions filled by presidential appointment with the advice and consent of the Senate, or excepted from the competitive service because they are of a confidential or policy-determining character under 5 CFR 213.3301. The information serves as a data base for the purposes of statistical analysis and longitudinal studies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, and on magnetic disk and tape, punched cards, and microfiche.

Retrievability:

Records are retrieved by the name and social security number of the individual to whom they pertain.

Safeguards:

Manual records are maintained in lockable metal filing cabinets or in secured room with access limited to those whose official duties require access. Access to computerized records is limited to those whose official duties require access. Access to race and ethnic data is restricted to specially designated OPM personnel.

Retention and disposal:

Records are retained so long as the individual remains in a covered position and for 5 years after they leave Federal service.

System manager(s) and address:

Associate Director, Administration Group, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager. Individuals must furnish the following information for their records to be located and identified.

a. Full name.
b. Social Security Number.
c. Address where employed.

Record access procedures:

Individuals wishing to request access to records about themselves should contact the system manager. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Social Security Number.

An individual requesting access must also follow the Office's Privacy Act regulations regarding verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Individuals wishing to request amendment of their records should contact the system manager. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Social Security Number.

An individual requesting amendment must also follow the Office's Privacy Act regulations regarding verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Information is provided by the individual named in the record, his or her employing agency, and is also obtained from official documents of the Office.

OPM/GOVT-1

System name:

General Personnel Records.

System location:

Records on current Federal employees are located at the Office and with Personnel Officers or other designated offices of the local installation of the department or agency that currently employes the individual. When agencies determine that duplicates of these records need to be located in a second office, e.g., an administrative office closer to where the employee actually works, such copies are covered by this system. Former Federal employees' Official Personnel Folders (OPF) are located at the National Personnel Records Center, General Services Administration, 111 Winnebago Street, St. Louis, Missouri 63118. Records not considered records, but which may be retained in the OPF or elsewhere during employment, and which are also included in this system, may be retained by agencies for a period of time after the employee leaves service.

The use of the phrase "long-term" to describe right-hand-side OPF records is used throughout since these records are not actually permanently retained. The term "temporary" is used when referencing left-hand-side OPF records and all other records not filed in the OPF but covered by this notice.

Categories of individuals covered by the system:

Current and former Federal employees as defined in 5 U.S.C. 2105.

Categories of records in the system:

All categories of records may include identifying information such as name(s), date of birth, home residence, mailing address, social security number, and home telephone. This system includes contents of the OPF as specified in Federal Personnel Manual Supplement 293-31. Records in this system are:

a. Records reflecting work experience, educational level achieved, and specialized education or training occurring outside of Federal service.

b. Records reflecting Federal service and documenting work experience and specialized education or training received while employed. Such records contain information about past and present positions held; grades; salaries; duty station locations; and notices of all personnel actions such as appointments, transfers, reassignments, details, promotions, demotions, reductions-in-force, resignations, separations, suspensions, the Office of Personnel Management (hereafter referred to as "the Office") approval of disability retirement applications, retirement, and removals.

c. Records on enrollment or declination of enrollment in the Federal Employees Group Life Insurance Program and Federal Employee Health Benefit programs, as well as forms showing designation of beneficiary.

d. Records relating to an Intergovernmental Personnel Act assignment or Federal-private sector exchange program.

Note.—Some of these records may also become part of the OPM/CENTRAL-7, Intergovernmental Personnel Act Assignment Records system.

e. Records relating to participation in an agency federal executive or Senior Executive Service (SES) Candidate Development Program.

Note.—Some of these records may also become part of the OPM/CENTRAL-3, Federal Executive Development Records; or OPM/CENTRAL-13, Senior Executive Service Records systems.

f. Records relating to Government-sponsored training or participation in an agency's upward mobility program or other personnel programs designed to broaden an employee's work experiences and for purposes of advancement (e.g., an administrative intern program).

g. Records contained in the Central Personnel Data File (CPDF) maintained by the Office and exact substantive representations thereof in agency manual or automated personnel information systems. These data elements include many of the above records along with handicap and race/national origin codes. A definitive list of CPDF data elements is contained in Federal Personnel Manual Supplement 292-1, Personnel Data Standards.

h. Records on the SES, maintained by agencies for use in making decisions affecting incumbents of these positions (e.g., relating to sabbatical leave programs, training, reassignments, and details) that are perhaps unique to the SES and which may be filed in the employee's OPF. These records may also serve as the basis for reports submitted to the Office's Workforce Effectiveness and Development Group for implementing the Office's oversight responsibilities concerning the SES.

i. Records concerning an employee's activities on behalf of the labor organization representing agency employees, including accounting of official time spent and documentation in support of per diem and travel expenses.

Note.—Alternatively, such records may be retained by an agency payroll office and thus subject to the agency's internal Privacy Act system for payroll records. The OPM/GOVT-1 system does not cover general agency payroll records.

j. To the extent that the records listed here are also maintained in an agency automated personnel or microform records system, those versions of the records are considered to be covered by this system notice. Any additional copies of these records (excluding performance appraisal and conduct-related documents maintained by first line supervisors and managers covered by the OPM/GOVT-2 system) maintained by agencies at field or administrative offices remote from where the original records exists are considered part of this system.

Note.—It is not the intent of the Office to limit this system of records only to those physically within the OPF. Records may be filed in other folders located in the offices other then where the OPF is located. Further, as indicated in the records location section, some of these records may be duplicated for maintenance at a site closer to where the employee works (e.g., in an administrative office or supervisor's work folder) and still be covered by this system.

Authority for maintenance of the system:

5 U.S.C. 1302, 2951, 3301, 3372, 4118, 8347, and Executive Orders 9397, 9830, and 12107.

Purpose(s):

The OPF and other general personnel records files are the official repository of the records, reports of personnel actions, and the documents and papers required in connection with these actions effected during an employee's Federal service. The personnel action reports and other documents, some of which are filed as long-term records in the OPF, give legal force and effect to personnel transactions and establish employee rights and benefits under pertinent laws and regulations governing Federal employment.

These files and records are maintained by OPM and the agencies for the Office in accordance with Office regulations and instructions. The OPF is maintained for the period of the employee's service in the agency and is then transferred to the National Personnel Records Center for storage or, as appropriate, to the next employing Federal agency. Other records are either retained at the agency for various lengths of time in accordance with General Services Administration records schedules or destroyed when they have served their purpose or when the employee leaves the agency. They provide the basic source of factual data about a person's Federal employment while in the service and after his or her separation. Records in this system have various uses by agency personnel offices, including screening qualifications of employees: Determining status, eligibility, and employee's rights and benefits under pertinent laws and regulations governing Federal employment; computing length of service; and other information needed to provide personnel services. These records and their automated or microform equivalents may also be used to locate individuals for personnel research.

Temporary documents on th left side of the OPF may pertain to a formal action but do not constitute a record of it nor make a substantial contribution to the employee's long-term record.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. To disclose information to Government training facilities (Federal, State, and local) and to non-Government training facilities (private vendors of training courses or programs, private schools, etc.) for training purposes.

b. To discuss information to educational institutions on appointment of a recent graduate to a position in the Federal service, and to provide colleges and university officials with information about their students working under Cooperative Education, Volunteer Service, or other similar programs necessary to a student's obtaining credit for the experience gained.

c. To disclose information to officials of foreign governments for clearance before a Federal employee is assigned to that country.

d. To disclose information to: The Department of Labor, Veterans Administration, Social Security Administration, Department of Defense. Federal agencies that have special civilian employee retirement programs; or a national, State, county, municipal, or other publicly recognized charitable or income security administration agency (e.g., State unemployment compensation agencies), where necessary to adjudicate a claim under the retirement, insurance or health benefits programs of the Office or an agency cited above, or to an agency to conduct an analytical study or audit of benefits being paid under such programs.

e. To disclose to the Office of Federal Employees Group Life Insurance, information necessary to verify election, declination, or waiver of regular and/or optional life insurance coverage or eligibility for payment of a claim for life insurance.

f. To disclose to health insurance carriers contracting with the Office to provide a health benefits plan under the Federal Employees Health Benefits Program, information necessary to identify enrollment in a plan, to verify eligibility for payment of a claim for health benefits, or to carry out the coordination or audit of benefit provisions of such contracts.

g. To disclose information to a Federal, State, or local agency for determination of an individual's entitlement to benefits in connection with Federal Housing Administration programs.

h. To consider and select employees for incentive awards and other honors and to publicize those granted. This may include disclosure to other public and private organizations, including news media, which grant or publicize employee awards or honors.

i. To consider employees for recognition through quality step increases, and to publicize those granted. This may include disclosure to other public and private organizations, including news media, which grant or publicize employee recognition.

j. To disclose information to officials of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting working conditions.

k. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

l. To disclose information to any source from which additional information is requested (to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and to identify the type of information requested), when necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance,the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefits.

m. To disclose to an agency in the executive, legislative, or judicial branch, or the District of Columbia's Government in response to its request, or at the initiation of the agency maintaining the records information in connection with the hiring of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, the issuance of a license, grant, or other benefits by the requesting agency, or the lawful statutory, administrative, or investigative purpose of the agency to the extent that the information is relevant and necessary to the requesting agency's decision.

n. To disclose information to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

o. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

p. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

q. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

r. By the agency maintaining the records or by the Office to locate individuals for personnel research or survey response, and in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances, the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

s. To provide an official of another Federal agency information needed in the performance of official duties related to reconciling or reconstructing data files, in support of the functions for which the records were collected and maintained.

t. When an individual to whom a record pertains is mentally incompetent or under other legal disability information in the individual's record may be disclosed to any person who is responsible for the care of the individual, to the extent necessary to assure payment of benefits to which the individual is entitled.

u. To disclose to the agency-appointed representative of an employee all notices, determinations, decisions, or other written communications issued to the employee, in connection with an examination ordered by the agency under:

(1) Fitness-for-duty examination procedures; or

(2) Agency-filed disability retirement procedures.

v. To disclose in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

w. To disclose to a requesting agency, organization, or individual the home address and other relevant information on those individuals who, it is reasonably believed, might have contracted an illness, been exposed to, or suffered from a health hazard while employed in the Federal work force.

x. To disclose specific civil service employment information required under law by the Department of Defense on individuals identified as members of the Ready Reserve, to assure continuous mobilization readiness of Ready Reserve units and members.

y. To disclose information to the Department of Defense, National Oceanic and Atmospheric Administration, U.S. Public Health Service, Veterans Administration, and the U.S. Coast Guard needed to effect any adjustments in retired or retained pay required by the dual compensation provisions of section 5532 of title 5, United States Code.

z. To disclose information to officials of the Merit Systems Protection Board, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigation of alleged or possible prohibited personnel practices, and such other functions, promulgated in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

aa. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations of alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

bb. To disclose information to the Federal Labor Relations Authority (including its General Counsel) when requested in connection with investigation and resolution of allegations of unfair labor practices, in connection with the resolution of exceptions to arbitrator's awards when a question of material fact is raised and matters before the Federal Service Impasses Panel.

cc. To disclose to prospective non-Federal employers, the following information about a specifically identified current or former Federal employee:

(1) Tenure of employment;

(2) Civil service status;

(3) Length of service in the agency and the Government; and

(4) When separated, the date and nature of action as shown on the Notification of Personnel Action—Standard Form 50 (or authorized exception).

dd. To disclose information on employees of Federal health care facilities to private sector (i.e., other than Federal, State, or local governments) agencies, boards, or commissions (e.g., the Joint Commission on Accreditation of Hospitals). Such disclosures will be made only when the disclosing agency determines that it is in the Government's best interest (e.g., to assist in the recruiting of staff in the community where the facility operates or to avoid any adverse publicity that may result from public criticism of the facility's failure to obtain such approval) to obtain accreditation or other approval rating and only to the extent that the information disclosed is relevant and necessary for that purpose.

ee. To disclose information to any member of an agency's Performance Review Board or other board or panel (e.g., one convened to select or review nominees for awards of merit pay increases) when the member is not an official of the employing agency; information would then be used for approving or recommending selection of candidates for executive development or SES candidate programs, issuing a performance appraisal rating, issuing performance awards, nominating for Meritorious and Distinguished Executive ranks, and removal, reduction-in-grade, and other personnel actions based on performance.

ff. To disclose information to the Federal Acquisition Institute (FAI) about Federal employees in procurement occupations and other occupations whose incubents spend the predominant amount of their work hours on procurement tasks; provided that the FAI shall only use the data for such purposes and under such conditions as prescribed by the notice of the Federal Acquisition Personnel Information System as published in the Federal Register of February 7, 1980 (45 FR 8399).

gg. To disclose information contained in the CPDF including the name, social security number, date of birth, sex, annual salary, service computation date of basic active service date, separation or retirement date, veteran's preference, retirement status, occupational series, position occupied, work schedule (full time, part time, or intermittent), agency identifier, geographic location (duty station location), standard metropolitan statistical area, special program identifier, and submitting office number of all Federal employees to agencies participating in the "Federal Employee Receiving Government Assistance" Matching Program conducted by the President's Council on Integrity and Efficiency to help eliminate fraud and abuse in the benefit program administered by agencies within the Federal Government and to collect debts and overpayments owed to the Federal Government.

hh. To disclose information contained in the CPDF including the name, social security number, date of birth, sex, annual salary, separation or retirement date, retirement status, occupational series, position occupied, work schedule (full time, part time, intermittent), agency identifier, geographic location (duty station location), metropolitan statistical area, special identifier, and submitting office number of Federal employees to requesting States (and, upon specific approval, by those States to local governments) for use in computer matching to help eliminate fraud and abuse in the benefit programs administered by the States and to collect debts and overpayments owed to those governments and their components.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, on lists and forms, microfilm or microfiche, and in computer processible storage media.

Retrievability:

These records are retrieved by various combinations of name, birth date, social security number, or identification number of the individual on whom they are maintained.

Safeguards:

Paper or microfiche/microfilmed records are located in locked metal file cabinets or in secured rooms with access limited to those personnel whose official duties require access. Access to computerized records is limited, through use of access codes and entry logs, to those whose official duties require access.

Retention and disposal:

a. Long-term Records. The OPF is retained by the employing agency as long as the individual is employed with that agency. Medical records are kept separately from the OPF while the individual is employed by an agency. When the individual transfers to another Federal agency or to another appointing office, the OPF, with the long-term medical records inserted in a separate envelope, is sent to that agency or office. Other medical records covered by this system; i.e., fitness-for-duty examinations, are considered temporary in nature. Such records, when not submitted to the Office for retention in a disability retirement file (or submitted, but the Office does not approve retirement), shall be destroyed no later than 6 months after closing action on the case or sooner at the discretion of the agency.

Within 90 days after the individual separates from the Federal service, the OPF is sent to the National Personnel Records Center for long-term storage. In the case of administrative need, a retired employee, or an employee who dies in service, the OPF is sent to the Record Center within 120 days.

Destruction of the OPF is in accordance with General Records Schedule (GRS) 1.

b. Other Records. These records are retained for varying periods of time. Generally they are maintained for a minimum of 1 year or until the employee transfers or separates.

c. Records contained on computer processible media within the CPDF (and in agency's automated personnel records) may be retained indefinitely as a basis for longitudinal work history statistical studies. After the disposition date in GRS-1, such records may not be used in making decisions concerning employees.

System manager(s) and address:

Assistant Director for Workforce Information, Compliance and Investigations Group, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contact the appropriate Office or employing agency office, as follows:

a. Current Federal employees should contact the Personnel Officer or other responsible official (as designated by the employing agency), of the local agency installation at which employed regarding records in this system.

b. Former Federal employees should contact one of the Office's regional or area offices (see list of regional office addresses in the Appendix), or, as explained in the Note below, the National Personnel Records Center (Civilian), 111 Winnebago Street, St. Louis, Missouri 63118, regarding the records in this system.

Individuals must furnish the following information for their records to be located and identified.

a. Full name(s).
b. Date of birth.
c. Social security number.
d. Last employing agency (including duty station) and approximate date(s) of the employment (for former Federal employees).
e. Signature.

Record access procedures:

Individuals wishing to request access to their records should contact the appropriate OPM or agency office, as specified in the Notification Procedure section. Individuals must furnish the following information for their records to be located and identified.

a. Full name(s).
b. Date of birth.
c. Social security number.
d. Last employing agency (including duty station) and approximate date(s) of employment (for former Federal employees).
e. Signature.

Individuals requesting access must also comply with the Office's Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

Note. An individual who is a former Federal employee may direct a request to the National Personnel Records Center (NPRC) for a copy of a specific OPF document or for a transcript of his or her own employment history complied from documents in the OPF. The transcript includes the individual's name; date of birth; social security number; all past grades held, position titles, duty stations, and salaries; and dates of personnel actions.

Under no circumstances shall an individual direct a request to NPRC for access to copies of all records maintained in his or her OPF. Though NPRC stores and services the OPF's of former Federal employees covered by this system, that record remains the property of the Office, and such requests will be handled and processed by the OPM office nearest to where the requester lives. (See list of OPM regional office addresses in the Appendix).

Contesting record procedures:

Current employees wishing to request amendment of their records should contact their current agency. Former employees should contact the system manager and not the Office. Individuals must furnish the following information for their records to be located and identified.

a. Full name(s).
b. Date of birth.
c. Social security number.

d. Last employing agency (including duty station) and approximate date(s) of employment (for former Federal employees).

e. Signature.

Individuals requesting amendment must also comply with the Office's Privacy Act regulations on verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Note. Under no circumstances shall former employees direct a request for amendment to records in the OPF to the NPRC or to the Office's regional or area offices. NPRC only stores and services the OPF's on former Federal employees covered by this system, and the Office's regional or area offices process only access requests. Processing under the amendment provisions of the Privacy Act will be handled only by the system manager.

Record source categories:

Information in this system of records is provided by:

a. The individual on whom the record is maintained.

b. Physicians examining the individual.

c. Educational institutions.

d. Agency officials and other individuals or entities.

e. Other sources of information for long-term records maintained in an employee's OPF, in accordance with Federal Personnel Manual, Chapter 293.

OPM/GOVT-2

System name:

Employee Performance File System Records.

System location:

Records maintained in this system may be located as follows:

a. In an Employee Performance File (EPF) maintained in the agency office responsible for maintenance of the employee's Official Personnel Folder (OPF) or other agency-designated office. This includes those instances where the agency uses an envelope within the OPF in lieu of a separate EPF folder.

b. In the EPF of Senior Executive Service (SES) appointees where the agency elects to have the file maintained by the Performance Review Boards required by 5 U.S.C. 4314(c)(1), or the administrative office supporting the Board.

c. In any supervisor/manager's work folder maintained in the office by the employee's immediate supervisor/manager or, where agencies have determined that records management is better served, in such folders maintained for supervisors/managers in a central administrative office.

d. In an agency's automated personnel records system.

e. In an agency microformed EPF.

Note.—Originals or copies of records covered by this system may be located in more than one location, but if they become part of an agency internal system (e.g., administrative or negotiated grievance file), those copies then would be subject to the agency's internal Privacy Act implementation guidance insofar as they are used within the agency's system.

Categories of individuals covered by the system:

Current and former Federal employees (including SES appointees). Records on former non-SES employees will generally be retained no longer than 1 year after the employee leaves his or her employing agency. Records on former SES employees may be retained up to 5 years under 5 U.S.C. 4314.

Categories of records in the system:

Records in this system, wherever they are maintained, may include any or all of the following:

a. Annual summary performance appraisals issued under employee (including SES and Merit Pay) appraisal systems and any document that indicates that the appraisal is being challenged under administrative procedures (e.g., when the employee files a grievance on the appraisal received).

b. A document (either the summary appraisal form itself or a form affixed to it) that identifies the job elements and the standards for those elements upon which the appraisal is based.

c. Supporting documentation for employee appraisals, as required by agency appraisal systems or implementing instructions, and which may be filed physically with the appraisal of record (e.g., productivity and quality control records, records of employee counseling, individual development plans, or other such records as specified in agency issuances and maintained; e.g., in a work folder by supervisors/managers at the work site).

d. Records on SES appraisals generated by Performance Review Boards, including statements of witnesses and transcripts of hearings.

e. Written recommendations for awards, removals, demotions, denials of within-grade increases, reassignments, training, pay increases, cash bonuses, or other performance-based actions (e.g., nominations of SES employees for Meritorious or Distinguished Executive), including supporting documentation.

f. Statements made (either on or appended to the performance appraisal document) by the employee (e.g., a statement of disagreement with the appraisal or recommendation), in accordance with agency performance appraisal plans and implementing instructions, regarding an appraisal given and any recommendations made based on them.

Note.—When a recommendation by a supervisor/manager or a statement made by the employee regarding the appraisal issued (or copy thereof) becomes part of another Government-wide system or internal agency file (e.g., an SF 52 filed in an OPF when the action is effected or when documents or statements of disagreement are placed in a grievance file), that document then becomes subject to that system's notice and appropriate Office or employing agency Privacy Act requirements, respectively, for the system of records covering that file.

g. Records created by Executive Resource Boards regarding performance of an individual in an executive development program.

h. Records needed to support removal for unsatisfactory performance during the supervisory or managerial probationary period, the SES appointment probationary period, or the employee's initial period of probation after appointment.

i. Notices of commendations (which are not considered a permanent OPF document), recommendations for training, such as an Individual Development Plan, and advice and counseling records that are based on work performance.

j. Copies of supervisory appraisals uses in considering employees for promotion or other position changes originated in conjunction with agency merit promotion programs when specifically authorized for retention in the EPF or work folder.

k. Performance-related material that may be maintained in the work folder to assist the supervisor/manager in accurately assessing employee performance. Such material may include transcripts of employment and training history, documentation of special licenses, certificates, or authorizations necessary in the performance of the employee's duties, employee locator information, information regarding specific employee problems, and other such records that agencies determine to be appropriate for retention in the work folder.

l. Standard Form 7B cards.

Note.—To the extent that performance records covered by this system are maintained in either an EPF, supervisor/manager work folder, or an agency's automated or micoform record system, they are considered covered under this system of records. Further, when copies of records filed in the employee's OPF are maintained as general records related to performance (item k. above), those records are to be considered as being covered by this system and not the OPM/GOVT-1 system.

This notice does not cover these records (or copies) when they become part of a grievance file or 5 CFR Parts 432, 752, or 754 file (documents maintained in these files are covered by the OPM/GOVT-3 system of records, while grievance records are covered under an agency-specific system), or when they become part of an appeal or discrimination complaint file as such documents are considered to be part of either the system of appeal records under the control of the Merit Systems Protection Board (MSPB) or discrimination complaints files under the control of the Equal Employment Opportunity Commission (EEOC).

When an agency retains copies of records from this system in another system or records, not covered by this or another OPM, MSPB, or EEOC Government-wide system notice, the agency is solely responsible for responding to any Privacy Act issues raised concerning these documents.

The Office has adopted a position that when supervisors/managers retain personal "supervisory" notes, i.e., information on employees that the agency exercises no control and does not require or specifically describe in its performance appraisal system, which remain solely for the personal use of the author and are not provided to any other person, and which are retained or discarded at the author's sole discretion, such notes are not subject to the Privacy Act and are, therefore, not considered part of this system. Should an agency choose to adopt a position that such notes are subject to the Act, that agency is solely responsible for dealing with Privacy Act matters, including the requisite system notice, concerning them.

Authority for maintenance of the system:

Sections 1104, 3321, 4305, and 5405 of title 5, U.S. Code, and Executive Order 12107.

Purpose(s):

These records are maintained to ensure that all appropriate records on an employee's performance are retained and are available: (1) To agency officials having a need for the information; (2) to employees; (3) to support actions based on the records; (4) for use by the Office in connection with its personnel management evaluation role in the executive branch; and (5) to identify individuals for personnel research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. To disclose information to officials of the MSPB, including the Office of Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and other functions as promulgated in 5 U.S.C. 1205, 1206, and 1209 or for such other functions as may be authorized by law.

b. To disclose information to the EEOC when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal Affirmative Action programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

c. To disclose information to the Federal Labor Relations Authority (including its General Counsel) when requested in connection with the investigation and resolution of allegations of unfair labor practices, in connection with the resolution of exceptions to arbitrator's awards where a question of material fact is raised, and matters before the Federal Service Impasses Panel.

d. To consider and select employees for incentive awards, quality step increases, merit pay or other pay bonuses, and other honors and to publicize those granted. This may include disclosure to public and private organizations, including news media, which grant or publicize employee awards or honors.

e. To disclose information to an arbitrator to resolve disputes under a negotiated grievance procedure or to officials of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation.

f. To disclose to an agency in the executive, legislative, or judicial branch, or to the District of Columbia's Government in response to its request, or at the initiation of the agency maintaining the records, information in connection with: The hiring or retention of an employee; the issuance of a security clearance; the conducting of a security or suitability investigation of an individual; the classifying of jobs; the letting of a contract; the issuance of a license, grant, or other benefits by the requesting agency; or the lawful statutory, administrative, or investigative purposes of the agency to the extent that the information is relevant and necessary to the decision on the matter.

g. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

h. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of the individual.

i. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

j. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

k. By the Office or employing agency to locate individuals for personnel research or survey response and in the production of summary descriptive statistics and analytical studies to support the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

l. To disclose pertinent information to the appropriate Federal (including offices of Inspector General), State, or local government agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the agency maintaining the record becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

m. To disclose information to any member of an agency's Performance Review Board or other board or panel (e.g., one convened to select or review nominees for awards of merit pay increases), when the member is not an official of the employing agency; information would then be used for approving or recommending performance awards, nominating for Meritorious and Distinguished Executive ranks, and removal, reduction-in-grade, and other personnel actions based on performance.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders, envelopes, and on magnetic tapes, disks, microfilm, or microfiche.

Retrievability:

Records are retrieved by the name and social security number of the individual on whom they are maintained.

Safeguards:

Records are maintained in file folders or envelopes, on magnetic tape, disks, or microforms and are stored in locked desks, metal filing cabinets, or in a secured room with access limited to those whose official duties require access. Additional safeguarding procedures include the use of sign-out sheets and restrictions on the number of employees able to access automated records through use of access codes and logs.

Retention and disposal:

a. Summary performance appraisals (and related records as the agency prescribes) on SES appointees are retained for 5 years and on other employees for 3 years, except as shown in b below, and are disposed of by shredding, burning, erasing of disks, or in accordance with agency procedures regarding destruction of personnel records, including giving them to the data subject.

b. Appraisal of unacceptable performance and related documents, pursuant to 5 U.S.C. 4303(d), are destroyed after the employee completes 1 year of acceptable performance from the date of the proposed removal or reduction-in-grade notice. (Destruction to be no later than 30 days after the year is up.)

c. When a career appointee in the SES accepts a Presidential appointment pursuant to 5 U.S.C. 3392(c), the employee's performance folder remains active so long as the employee remains employed under the Presidential appointment and elects to have certain provisions of 5 U.S.C. relating to the Service apply.

d. When an incumbent of the SES transfers to another position in the Service, either with the same or a different agency, all performance documents 5 years old or less are transferred in the performance folder or envelope with the individual's OPF.

e. Some performance-related records (e.g., documents maintained to assist rating officials in appraising performance or recommending remedial actions or to show that the employee is currently licensed or certified) may be destroyed after 1 year.

f. Where any of these documents are needed in connection with administrative or negotiated grievance procedures, or quasi-judicial or judicial proceedings, they may be retained as needed beyond the retention schedules identified above.

g. Generally, agencies retain records on former employees for no longer than 1 year after employee leaves.

Note.—When an agency retains an automated or microform version of any of the above documents, retention of such records longer than shown is permitted (except for those records subject to 5 U.S.C. 4303(d)) for agency use or for historical or statistical analysis, but only so long as the record is not used in a determination directly affecting the individual about whom the record pertains (after the manual record has been or should have been destroyed).

System manager(s) and address:

Assistant Director for Workforce Information, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415.

Notification procedure:

Individual wishing to inquire whether this system contains information about them should contact their servicing personnel office, supervisor/manager, Performance Review Board office, or other agency designated office maintaining their performance-related records where they are or were employed. Individuals must furnish the following information for their records to be located and identified:

a. Full name(s).
b. Social security number.
c. Position occupied and unit where employed.

Record access procedures:

Individuals wishing access to their records should contact the appropriate office indicated in the Notification Procedure section where they are or were employed. Individuals must furnish the following information for their records to be located and identified:

a. Full name(s).
b. Social security number.
c. Position occupied and unit where employed.

Individuals requesting access to records must also comply with the Office's Privacy Act regulations or verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Individuals wishing to request amendment to their records should contact the appropriate office indicated in the Notification Procedure section where they are or where employed. Individuals must furnish the following information for their records to be located and identified:

a. Full name(s).
b. Social security number.
c. Position occupied and unit where employed.

Individuals requesting amendment must also comply with the Office's Privacy Act regulations on verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Records in this system are obtained from:

a. Supervisors/managers.
b. Performance Review Boards.
c. Executive Resource Boards.
d. Other individuals or agency officials.
e. Other agency records.
f. The individual about whom the records pertain.

OPM/GOVT-3

System name:

Records of Adverse Actions and Actions Based on Unacceptable Performance.

System location:

These records are located in personnel or designated offices in Federal agencies in which the actions were processed.

Categories of individuals covered by the system:

Current or former Federal employees (including Senior Executive Service (SES) employees) against whom such an action has been proposed or taken in accordance with Parts 432, 752, or 754 of the Office's regulations (5 CFR Parts 432, 752, or 754).

Categories of records in the system:

This system contains records and documents on the processing of adverse actions and actions based on unacceptable performance. The records include copies of the notice of proposed action, materials relied on by the agency to support the reasons in the notice, replies by the employee, statements of witnesses, hearing notices, reports, and agency decisions.

Note.—This system does not include records, including the action file itself, compiled when such actions are appealed to the Merit Systems Protection Board (MSPB) or become part of a discrimination complaint record at the Equal Employment Opportunity Commission (EEOC). Such appeal and discrimination complaint file records are covered by the appropriate MSPB or EEOC system of records.

Authority for maintenance of the system:

5 U.S.C. 4303, 7504, 7514, and 7543.

Purpose(s):

The records result from the proposal, processing, and documentation of these actions either taken by the Office or agencies against employees in accordance with Parts 432, 752, or 754 of the Office's regulations (5 CFR Parts 432, 752, or 754).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in records may be used:

a. To provide information to officials of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting work conditions.

b. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, when the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

c. To disclose information to any source from which additional information is requested for processing any of the covered actions or in regard to any appeal or administrative review procedure, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and identify the type of information requested.

d. To disclose information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, or the classifying of jobs, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

e. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

f. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

g. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

h. By the agency maintaining the records or the Office to locate individuals for personnel research or survey response and in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

i. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

j. To disclose information to officials of the MSPB, including the Office of the Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions, e.g., as promulgated in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

k. To disclose information to the EEOC when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

l. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

m. To provide an official of another Federal agency information he or she needs to know in the performance of his or her official duties of reconciling or reconstructing data files, in support of the functions for which the records were collected and maintained.

n. To disclose information to private sector (i.e., non-Federal, State, or local governments) agencies, organizations, boards, bureaus, or commissions. Such disclosures may be made only when the disclosing agency determines that: (1) The records are properly constituted in accordance with the Office or employing agency requirements; (2) the records are accurate, relevant, timely, and complete; and (3) the disclosure is in the best interests of the Government. When the agency's cooperation with the private sector entity, through the exchange of individual records, directly benefits the agency's completion of its mission, enhances the agency's personnel management functions, or increases the public confidence in the agency's or the Federal Government's role in the community, then the Government's best interests are served. Further, only such information that is clearly relevant and necessary for accomplishing the intended uses of the information as certified by the receiving private sector entity, are to be furnished.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, in automated media, or on microfiche or microfilm.

Retrievability:

These records are retrieved by the names and social security number of the individuals on whom they are maintained.

Safeguards:

These records are maintained in locked metal filing cabinets to which only authorized personnel have access.

Retention and disposal:

Records documenting an adverse action or a performance-based removal or demotion action are disposed of 4 years after the closing of the case. Disposal is by shredding or burning.

System manager(s) and address:

Assistant Director, Office of Planning and Evaluation, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415 for actions taken under Parts 432, 752 (Subparts A through D only), and 754. Associate Director, Workforce Effectiveness and Development Group, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415 for actions taken against SES appointees under Subparts E and F, Part 752.

Notification procedure:

Individuals receiving notice of a proposed adverse, removal, or demotion action must be provided access to all documents supporting the notice. At any time thereafter, individuals subject to the action will be provided access to the complete record. Individuals should contact the agency personnel or designated office where the action was processed regarding the existence of such records on them. They must furnish the following information for their records to be located and identified:

a. Name.

b. Date of birth.

c. Approximate date of closing of the case and kind of action taken.

d. Organizational component involved.

Record access procedures:

Individuals whom such actions are taken must be provided access to the record. However, after the action has been closed, an individual may request access to the official copy of an adverse or performance-based action file by contacting the agency personnel or designated office where the action was processed. Individuals must furnish the following information for their records to be located and identified:

a. Name.

b. Date of birth.

c. Approximate date of closing of the case and kind of action taken.

d. Organizational component involved.

Individuals requesting access must also follow the Office's Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Review of requests from individuals seeking amendment of their records that have or could have been the subject of a judicial or quasi-judicial action will be limited in scope. Review of amendment requests of these records will be restricted to determining if the record accurately documents the action of the agency ruling on the case, and will not include a review of the merits of the action, determination, or finding.

Individuals wishing to request amendment to their records to correct factual errors should contact the agency personnel or designated office where the actions were processed. Individuals must furnish the following information for their records to be located and identified:

a. Name.

b. Date of birth.

c. Approximate date of closing of the case and kind of action taken.

d. Organizational component involved.

Individuals requesting amendment must also follow the Office's Privacy Act regulations on verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Information in this system of records is provided:

a. By the individual on whom the record is maintained.

b. By testimony of witnesses.

c. By agency officials.

d. From related correspondence from organizations or persons.

OPM/GOVT-4

System name:

Executive Branch Public Financial Disclosure Reports and Other Ethics Program Records.

System location:

Director, Office of Government Ethics, Office of Personnel Management, 1717 H Street, NW, Washington, DC 20419, and designated agency ethics offices.

Categories of individuals covered by the system:

This system contains records on: The President, Vice President, and candidates for those offices; officers and employees, including special Government employees, whose positions are classified at grades GS-16 and above or at an equivalent rate under another pay schedule; individuals who are classified at GS-16 and above or in equivalent positions who provide staff functions in support of an advisory committee composed of at least one special Government employee; officers or employees in a position determined by the Director of the Office of Government Ethics to be of equal classification to GS-16; Administrative Law Judges; excepted service employees in positions that are of a confidential or policymaking nature unless an employee or groups of employees are exempted by the Director of the Office of Government Ethics; each member of a uniformed service whose pay grade is at or in excess of O-7 under section 201 of title 37, United States Code; the Postmaster General, the deputy Postmaster General, Governor of the Board of Governors of the U.S. Postal Service and each officer or employee of the U.S. Postal Service whose basic rate of pay is equal to or greater than the minimum rate of basic pay fixed for GS-16; the Director of the Office of Government Ethics and officials designated to act as agency ethics officers (designated agency ethics officials); and nominees for positions requiring Senate confirmation. This system includes both former and current employees in these categories who have filed financial disclosure statements under the requirements of the Ethics in Government Act of 1978, as amended, or who otherwise come under the requirements of the Act. For administering all provisions of the Ethics in Government Act of 1978, as amended, the system may contain information on any officer or employee of the executive branch.

Categories of records in the system:

This system of records contains: Financial information such as salary, dividends, receipts from the purchase or sale of land, exchange of property, spouse's and children's interest earnings, funds from trust accounts, gifts, reimbursements, interest on property, and compensation for duties performed; information on liabilities in excess of 10,000; information about positions as an officer, director, trustee, partner, proprietor, representative, employee, or consultant of any corporation, company, firm, partnership, or other business, non-profit organization, labor organization, or educational institution; information about non-Government employment agreements, such as leaves of absence to accept Federal service, continuation of payments by non-Federal former employers, and participation in prior non-Federal employer welfare and benefit plans; and information about assets placed in trust pending disposal; and other documents developed by the Director of the Office of Government Ethics, or agency ethics officials in administering the Ethics in Government Act of 1978, as amended. Such other documents may include, but will not be limited to, information necessary for the rendering of advice or formal advisory opinions, or the resolution of complaints.

Authority for maintenance of the system:

Pub. L. 95-521, Ethics in Government Act of 1978, as amended.

Purpose(s):

These records are maintained to meet the requirements of the Ethics in Government Act of 1978, Pub. L. 95-521, as amended, regarding the filing of financial status reports and reports concerning certain agreements between the covered individual and any prior private sector employer. Such statements and related records are required to assure compliance with the Act and to preserve and promote the integrity of public officials and institutions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. To disclose any and all of the information furnished by the reporting official, in accordance with provisions of section 205 of the Ethics in Government Act of 1978, to any requesting person.

b. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

c. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

d. To disclose information to any source when necessary to obtain information relevant to a conflict-of-interest investigation or determination.

e. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

f. To disclose information to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

g. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, automated media, or on microfiche or microfilm.

Retrievability:

These records are retrieved by the name and social security number of the individual on whom they are maintained.

Safeguards:

These records are maintained in filing cabinets to which only authorized personnel have access.

Retention and disposal:

These records are generally maintained for a period of 6 years after filing, except when filed by a nominee for an appointment requiring confirmation by the Senate when the nominee is not appointed and Presidential and Vice-Presidential candidates who are not elected. In these cases, the record is destroyed 1 year after the date the individual ceased being under Senate consideration for appointment or is no longer a candidate for office. Destruction is by shredding or burning.

System manager(s) and address:

Director of the Office of Government Ethics, Office of Personnel Management, 1717 H Street, NW, Washington, DC 20419.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contact, as appropriate:

a. For records filed directly with the Office of Government Ethics, contact the system manager.

b. For records filed with designated agency ethics officials or the Secretary concerned, contact the designated agency ethics official or Headquarters, department or agency, Wasington, DC (ZIP code).

c. For records filed with the Federal Election Commission by candidates for President or Vice President, contact the Staff Director, Federal Election Commission, 1325 K Street, NW, Washington, DC 20463.

Individuals wishing to inquire whether this system of records contains information about them should contact the appropriate office listed above. Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Department or agency and component with which employed or proposed to be employed.

Record access procedures:

Individuals wishing to request access to their records should contact the appropriate office as shown in the Notification Procedure section. Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Department or agency and component with which employed or proposed to be employed.

Individuals requesting access to information not generally available to the public under the Act, must also comply with the Office's Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Since the information in these records is updated on a periodic basis, most record corrections can be handled through established administrative procedures for updating the records. However, individuals can obtain information on the procedures for contesting the records under the provisions of the Privacy Act by contacting the appropriate office shown in the Notification Procedure section.

Record source categories:

Information in this system of records is provided by:

a. The subject individual or by a designated person, such as a trustee, attorney, accountant, or relative.

b. Federal officials who review the statements to make conflict of interest determinations.

c. Persons alleging conflict of interests and persons contacted during any investigation of the allegations.

OPM/GOVT-5

System name:

Recruiting, Examination, and Placement Records.

System location:

Associate Director, Career Entry Group, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415, OPM regional and area offices; and personnel or other designated offices of Federal agencies that are authorized to make appointments and to act for the Office by delegated authority.

Categories of individuals covered by the system:

a. Persons who have applied to the Office or agencies for Federal employment and current and former Federal employees submitting applications for other positions in the Federal service.

b. Applicants for Federal employment believed or found to be unsuitable for employment on medical grounds.

Categories of records in the system:

In general, all records in this system contain identifying information including name, date of birth, social security number, and home address. These records pertain to assembled and unassembled examining procedures and contain information on both competitive examinations and to certain noncompetitive actions, such as determinations of time-in-grade restriction waivers, waiver of qualification requirement determinations, and variations in regulatory requirements in individual cases. This system includes such records as—

a. Applications for employment that contain information on work and education, military service, convictions for offenses against the law, and indications of specialized training or receipt of awards or honors. These records may also include copies of correspondence between the applicant and the Office or agency.

b. Results of written exams and indications of how information in the application was rated. These records also contain information on the ranking of an applicant, his or her placement on a list of eligibles, what certificates applicant's names appeared, an agency's request for Office approval of the agency's objection to an eligible's qualifications and the Office's decision in the matter, an agency's request for Office approval for the agency to pass over an eligible and the Office's decision in the matter, and an agency's decision to object/pass over an eligible when the agency has authority to make such decisions under agreement with the Office.

c. Records regarding the Office's final decision on an agency's decision to object/pass over an eligible for suitability or medical reasons or when the objection/pass over decision applies to a compensable preference eligible with 30 percent or more disability. (Does not include a rating of ineligibility for employment because of a confirmed positive test result under Executive Order 12564.)

d. Responses to and results of approved personality or similar tests administered by the Office or agency.

e. Records relating to rating appeals filed with the Office or agency.

f. Registration sheets, control cards, and related documents regarding Federal employees requesting placement assistance in view of pending or realized displacement because of reduction in force, transfer or discontinuance of function, or reorganization.

g. Records concerning non-competitive action cases referred to the Office for decision. These files include such records as waiver of time-in-grade requirements, decisions on superior qualification appointments, temporary appointments outside a register, and employee status determinations. Authority for making decisions on many of these actions has also been delegated to agencies. The records retained by the Office on such actions and copies of such files retained by the agency submitting the request to the Office, along with records that agencies maintain as a result of the Office's delegations of authorities, are considered part of this system of records.

h. Records retained to support Schedule A appointments of severely physically handicapped individuals, retained both by the Office and agencies acting under the Office delegated authorities, are part of this system.

i. Agency applicant supply file systems (when the agency retains applications, resumes, and other related records for hard-to-fill or unique positions, for future consideration), along with any pre-employment vouchers obtained in connection with an agency's processing of an application, are included in this system.

j. Records derived from the Office-developed or agency-developed assessment center exercises.

k. Case files related to medical suitability determinations and appeals.

l. Records related to an applicant's examination for use of illegal drugs under provisions of Executive Order 12564. Such records may be retained by the agency (e.g., evidence of confirmed positive test results and copies of notices to applicants of their being rated ineligible for Federal employment because of the confirmed positive test results) or by a contractor laboratory (e.g., the record of the testing of an applicant, whether negative, or confirmed or unconfirmed positive test result).

Note 1: Only Routine Use "p" identified for this system of records is applicable to records relating to drug testing under Executive Order 12564. Further, such records shall be disclosed only to a very limited number of officials within the agency, generally only to the agency Medical Review Official (MRO), the administrator of the agency Employee Assistance Program, and any supervisory or management official within the employee's agency having authority to take the adverse personnel action against the employee.

Note 2: The Office does not intend that records created by agencies in connection with the agency's Merit Promotion Plan program be included in the term "Applicant Supply File" as used within this notice. It is the Office's position that Merit Promotion Plan records are not a system of records within the meaning of the Privacy Act as such records are usually filed by a vacancy announcement number or some other key that is not a unique personal identifier. Agencies may choose to consider such records as within the meaning of a system of records as used in the Privacy Act, but if they do so, they are solely responsible for implementing Privacy Act requirements, including establishment and notice of a system of records pertaining to such records.

Note 3: To the extent that an agency utilizes an automated medium in connection with maintenance of records in this system, the automated versions of these records are considered covered by this system of records.

Authority for maintenance of the system:

5 U.S.C. 1302, 3109, 3301, 3302, 3304, 3306, 3307, 3309, 3313, 3317, 3318, 3319, 3326, 4103, 4723, 5532, and 5533, and Executive Order 9397.

Purpose(s):

The records are used in considering individuals who have applied for positions in the Federal service by making determinations of qualifications including medical qualifications, for positions applied for, and to rate and rank applicants applying for the same or similar positions. They are also used to refer candidates to Federal agencies for employment consideration, including appointment, transfer, reinstatement, reassignment, or promotion. Records derived from the Office-developed or agency-developed assessment center exercises may be used to determine training needs of participants. These records may also be used to locate individuals for personnel research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

None of the Routine Uses apply to records identified in paragraph 1 of the Categories of Records in the System section of this notice. Otherwise, records and information in this system may be used—

a. To refer applicants, including current and former Federal employees to Federal agencies for consideration for employment, transfer, reassignment, reinstatement, or promotion.

b. With the permission of the applicant, to refer applicants to State and local governments, congressional offices, international organizations, and other public offices for employment consideration.

c. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, when the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

d. To disclose information to any source from which additional information is requested (to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and to identify the type of information requested), when necessary to obtain information relevant to an agency decision concerning hiring or retaining an employee, issuing a security clearance, conducting a security or suitability investigation of an individual, classifying positions, letting a contract, or issuing a license, grant, or other benefit.

e. To disclose information to a Federal agency, in response to its request, in connection with hiring or retaining an employee, issuing a security clearance, conducting a security or suitability investigation of an individual, classifying positions, letting a contract, or issuing a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

f. To disclose information to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

g. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

h. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

i. To disclose information to the Department of Justice, or in a proceeding before a court, adjudicative body, or other administrative body before which the agency is authorized to appear, when:

1. The agency, or any component thereof; or
2. Any employee of the agency in his or her official capacity; or
3. Any employee of the agency in his or her individual capacity where the Department of Justice or the agency has agreed to represent the employee; or
4. The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice or the agency is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case it has been determined that the disclosure is compatible with the purpose for which the records were collected.

j. By the National Archives and Records Administration in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

k. By the agency maintaining the records or by the Office to locate individuals for personnel research or survey response or in producing summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

l. To disclose information to officials of the Merit Systems Protection Board, including its Office of Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions; e.g., as prescribed in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

m. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978.

n. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

o. To disclose, in response to a request for discovery or for an appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

p. To disclose the results of a drug test of a Federal employee pursuant to an order of a court of competent jurisdiction where required by the United States Government to defend against any challenge against any adverse personnel action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on magnetic tapes, disk, punched cards, microfiche, cards, list, and forms.

Retrievability:

Records are retrieved by the name, date of birth, social security number, and/or identification number assigned to the individual on whom they are maintained.

Safeguards:

Records are maintained in a secured area or automated media with access limited to authorized personnel whose duties require access.

Retention and disposal:

Records in this system are retained for varying lengths of time, ranging from a few months to 5 years; e.g., applicant records that are part of medical determination case files or medical suitability appeal files are retained for 3 years from completion of action on the case. Most records are retained for a period of 1 to 2 years. Some records, such as individual applications, become part of the person's permanent official records when hired, while some records (e.g., noncompetitive action case files), are retained for 5 years. Some records are destroyed by shredding or burning while magnetic tapes or disks are erased.

System manager(s) and address:

Associate Director, Career Entry Group, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contact the agency or the Office where application was made or examination was taken. Individuals must provide the following information for their records to be located and identified:

a. Name.
b. Date of birth.
c. Social security number.
d. Identification number (if known).
e. Approximate date of record.
f. Title of examination or announcement with which concerned.
g. Geographic area in which consideration was requested.

Record access procedures:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552a (c)(3) and (d), regarding access to records.

The section of this notice titled "Systems Exempted from Certain Provisions of the Act" indicates the kind of material exempted and the reasons for exempting them from access. Individuals wishing to request access to their non-exempt records should contact the agency or the Office where application was made or examination was taken. Individuals must provide the following information for their records to be located and identified:

a. Name.
b. Date of birth.
c. Social security number.
d. Identification number (if known).
e. Approximate date of record.
f. Title of examination or announcement with which concerned.
g. Geographic area in which consideration was requested.

Individuals requesting access must also comply with the Office's Privacy Act regulations on verification of identity and access to records (5 CFR Part 297).

Contesting record procedures:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552a(d), regarding amendment of records. The section of this notice titled "Systems Exempted from Certain Provisions of the Act" indicates the kinds of material exempted and the reasons for exempting them from amendment. An individual may contact the agency or the Office where application is filed at any time to update qualifications, education, experience, or other data maintained in the system.

Such regular administrative updating of records should not be requested under the provisions of the Privacy Act. However, individuals wishing to request amendment of other records under the provisions of the Privacy Act should contact the agency or the Office where application was made or examination was taken. Individuals must provide the following information for their records to be located and identified:

a. Name.
b. Date of birth.
c. Social security number.
d. Identification number (if known).
e. Approximate date of record.
f. Title of examination or announcement with which concerned.
g. Geographic area in which consideration was requested.

Individuals requesting amendment must also comply with the Office's Privacy Act regulations on verification of identity and amendment of records (5 CFR Part 297).

Note: In responding to an inquiry or a request for access or amendment, resource specialists may contact the Office's area office that provides examining and rating assistance for help in processing the request.

Record source categories:

Information in this system of records comes from the individual to whom it applies or is derived from information the individual supplied, reports from medical personnel on physical qualifications, results of examinations that are made known to applicants, agencies, and Office records, and vouchers supplied by references or other sources that the applicant lists or that are developed.

Systems exempted from certain provisions of the act:

This system contains investigative materials that are used solely to determine the appropriateness of a request for approval of an objection to an eligible's qualifications for Federal civilian employment or vouchers received during the processing of an application. The Privacy Act, at 5 U.S.C. 552a(k)(5), permits an agency to exempt such investigative material from certain provisions of the Act, to the extent that release of the material to the individual whom the information is about would—

a. Reveal the identity of a source who furnished information to the Government under an express promise (granted on or after September 27, 1975) that the identity of the source would be held in confidence; or

b. Reveal the identity of a source who, prior to September 27, 1975, furnished information to the Government under an implied promise that the identity of the source would be held in confidence.

This system contains testing and examination materials used solely to determine individual qualifications for appointment or promotion in the Federal service. The Privacy Act, at 5 U.S.C. 552a(k)(6), permits an agency to exempt all such testing or examination material and information from certain provisions of the Act, when disclosure of the material would compromise the objectivity or fairness of the testing or examination process. The Office has claimed exemptions from the requirements of 5 U.S.C. 552a(d), which relate to access to and amendment of records.

The specific materials exempted include, but are not limited to, the following:

a. Answer keys.
b. Assessment center exercises.
c. Assessment center exercise reports.
d. Assessor guidance material.
e. Assessment center observation reports.
f. Assessment center summary reports.
g. Other applicant appraisal methods, such as performance tests, work samples and simulations, miniature training and evaluation exercises, structured interviews, and their associated evaluation guides and reports.
h. Item analyses and similar data that contain test keys.
i. Ratings given for validating examinations.
j. Rating schedules, including crediting plans and scoring formulas for other selection procedures.
k. Rating sheets.
l. Test booklets, including the written instructions for their preparation.
m. Test item files.
n. Test answer sheets.

OPM/GOVT-6

System name:

Personnel Research and Test Validation Records.

System location:

Office of Staffing Policy, Staffing Group, Office of Personnel Management, Room 3G29, 1900 E Street, NW, Washington, DC 20415, the Office's regional offices (see list of regional office addresses in the Appendix), and agency personnel offices (or other designated offices) conducting personnel research.

Categories of individuals covered by the system:

Current and former Federal employees, applicants for Federal employment, current and former State and local government employees, and applicants for State and local government employment.

Categories of records in the system:

These records include information on education and employment history, test scores, responses to test items and questionnaires, interview data, and ratings of supervisors regarding the individuals to whom the records pertain. Additional information (race, national origin, disability status, and background) is collected from applicants for certain examinations.

Authority for maintenance of the system:

Title 5, U.S.C. Sections 1303 and 3301.

Purpose(s):

These records are collected, maintained, and used by the Office or employing agencies for the construction, analysis, and validation of written tests, and for research on and evaluation of personnel/organizational measurement and selection methods. Such research includes studies extending over a period of time (longitudinal studies). Race and national origin data are used by agencies to evaluate the role of examinations in the total employee selection process. Use of these race and national origin data is limited to such evaluation and oversight projects conducted by the employing agencies or the Office. The records may also be used by the Office or employing agencies to locate individuals for personnel research. Data are collected on a project-by-project basis under conditions assuring the confidentiality of the information. No personnel action or selection is made using these research records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Under normal circumstances, no individually identifiable records will be provided. However, under those unusual circumstances when an individually identifiable record is required, proper safeguards will be maintained to protect the information collected from unwarranted invasion of personal privacy. Such protection must be specified in writing by the requester and, to the satisfaction of the agency official responsible for maintaining the data, indicate that the proposed use of the data is in compliance with the letter and spirit of the Privacy Act. Under these circumstances, the routine uses are as follows:

a. By the Office or employing agency maintaining the records to locate individuals for personnel research or survey responses and in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

b. To furnish personnel records and information to the Equal Employment Opportunity Commission for use in determining the existence of adverse impact in the total selection program, reviewing allegations of discrimination, or assessing the status of compliance with Federal law.

c. To furnish information to the Merit Systems Protection Board, including the Office of the Special Counsel, in connection with actions by offices relating to allegations of discriminatory practices on the part of an agency or one of its employees.

d. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

e. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

f. To provide information to a congressional office from the record of an individual in response to a request from that congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders and on punched cards, disks, and magnetic tape.

Retrievability:

Records are generally maintained by project. Personal information can be retrieved by name or personal identifier only for certain research projects such as those involving longitudinal studies.

Safeguards:

Records are kept in locked files in a locked room with access limited to authorized staff. Access to tape, disk, and other files used in data processing will be only by authorized staff.

Retention and disposal:

Records are retained for 2 years after completion of the project unless needed in the course of litigation or other administrative actions involving a research or test validation survey. Manual records are destroyed by shredding or burning and magnetic tapes and disks are erased.

System manager(s) and address:

Office of Staffing Policy, Staffing Group, Office of Personnel Management, 1900 E Street. NW, Washington DC 20415.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager, the Office's regional office servicing the state where they are employed (see list of the Office's regional office addresses in the Appendix), or their employing agency's personnel office. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Date of birth.
c. If known, the title, time, and/or place of the test validation research study in which the individual participated.
d. Social security number.
e. Signature.

Record access procedures:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552a(d), regarding access to records. The section of this notice titled "Systems Exempted from Certain Provisions of the Act" indicates the kinds of materials exempted and the reasons for exempting them from access. Individuals wishing to request access to non-exempt records should contact the appropriate office listed in the Notification Procedure section. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Date of birth.
c. If known, the title, time, and/or place of the test validation research study in which the individual participated.
d. Social security number.
e. Signature.

Individuals requesting access must also comply with the Office's Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Specific materials in this system have been exempted from Privacy Act provisions at 5 U.S.C. 552a(d) regarding amendment of records. The section of this notice titled "Systems Exempted from Certain Provisions of the Act" indicates the kinds of materials exempted and the reasons for exempting them from amendment. Individuals wishing to request amendment of any non-exempt records should contact the appropriate office listed in the Notification Procedure section. Individuals must furnish the following information for their records to be located and identified:

a. Full name.
b. Date of birth.
c. If known, the title, time, and/or place of the test validation research study in which the individual participated.
d. Social security number.
e. Signature.

Individuals requesting amendment must also comply with the Office's Privacy Act regulations on verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Individual applicants, including Federal, State, and local government employees; supervisors; assessment center assessors; and agency or Office personnel files and records (e.g., race, sex, national origin, and disability status data from OPM/GOVT-1 and OPM/GOVT-7 systems of records).

Systems exempted from certain provisions of the act:

This system contains testing and examining materials that are used solely to determine individual qualifications for appointment or promotion in the Federal service. The Privacy Act, at 5 U.S.C. 552a(k)(6), permits an agency to exempt all such testing and examination material and information from certain provisions of the Act, when the disclosure of the material would compromise the objectivity or fairness of the testing or examination process. The Office has claimed exemptions from the requirements of 5 U.S.C. 552a(d), which relates to access to and amendment of records.

The specific materials exempted include, but are not limited to, the following:

a. Answer keys.
b. Assessment center exercises.
c. Assessment center exercise reports.
d. Assessor guidance material.
e. Assessment center observation reports.
f. Assessment center summary reports.
g. Other applicant appraisal methods, such as performance tests, work samples, and simulations, miniature training and evaluation exercises, structured interviews, and reports.
h. Item analyses and similar data that contain test keys.
i. Ratings given for validating examinations.
j. Rating schedules, including crediting plans and scoring formulas for other selection procedures.
k. Ratings sheets.
l. Test booklets, including the written instructions for their preparation.
m. Test item files.
n. Test answer sheets.

OPM/GOVT-7

System name:

Applicant Race, Sex, National Origin, and Disability Status Records.

System location:

Records in this system may be located in the following offices:

a. Office of Staffing Policy, Staffing Group, Office of Personnel Management, Room 3G29, 1900 E Street NW, Washington, DC 20415.

b. Office of Affirmative Employment Programs, Workforce Effectiveness and Development Group, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415.

c. The Office's regional offices (see list of regional office addresses in the Appendix) and any register-holding area offices under the jurisdiction of a regional office.

d. Agency Personnel, Equal Employment Opportunity, or Federal Equal Opportunity Recruitment Program offices or other designated offices.

Categories of individuals covered by the system:

Current and former Federal employees and individuals who have applied for Federal employment, including:

a. Applicants for examinations administered either by the Office or by employing agencies.

b. Applicants on registers or in inventories maintained by the Office and subject to its regulations.

c. Applicants for positions in agencies having direct hiring authority and using their own examining procedures in compliance with the Office regulations.

d. Applicants whose records are retained in an agency's Equal Opportunity Recruitment file (including any file an agency maintains on current employees from under-represented groups).

e. Applicants (including current and former Federal employees) who apply for vacancies announced under an agency's merit promotion plan.

Categories of records in the system:

The records include the individual's name; social security number: Date of birth; statement of major fields of study; type of current or former Federal employment status (e.g., career or temporary); applications showing work and education experience; and race, sex, national origin, and disability status data.

Note.—The race and national origin information in this system is obtained by three alternative methods: (1) Use of the Office's form on which individuals identify themselves as to race and national origin; or (2) by visual observation (race) or knowledge of an individual's background (national origin); or (3) at the agency's option, from the OPM/GOVT-1 system in the case of applicants who are current Federal employees. Disability status is obtained by use of Standard Form 256, "Self Identification of Medical Disability," which allows for a description by self-identification of the handicap.

Authority for maintenance of the system:

5 U.S.C. 7201, Sections 4A, 4B, 15A(1) and (2), 15B(11), and 15D(11): Uniform Guidelines on Employee Selection Procedures (1978); 43 FR 38297 et seq. (August 25, 1979); 29 CFR 1613.301; and 5 CFR 720.301.

Purpose(s):

These records are used by OPM and agencies to:

a. Evaluate personnel/organizational measurement and selection methods.

b. Implement and evaluate agency affirmative employment programs.

c. Implement and evaluate agency Federal Equal Opportunity Recruitment Programs (including establishment of minority recruitment files).

d. Enable the Office to meet its responsibility to assess an agency's implementation of the Federal Equal Opportunity Recruitment Program.

e. Determine adverse impact in the selection process as required by the Uniform Guidelines cited in the Authority section above. (See also "Questions and Answers," on those Guidelines published at 44 FR 11996, March 2, 1979.)

f. Enable reports to be prepared regarding breakdowns by race, sex, and national origin of applicants (by exams taken, and on the selection of such applicants for employment).

g. To locate individuals for personnel research.

Note.—These data are maintained under conditions that ensure that the individual's identification as to race, sex, national origin, or disability status, does not accompany that individual's application nor is otherwise made known when the individual is under consideration by a selecting official.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. To disclose information to the Equal Employment Opportunity Commission (EEOC), in response to its request for use in the conduct of an examination of an agency's compliance with affirmative action plan instructions and the Uniform Guidelines on Employee Selection Procedures (1978), or other requirements imposed on agencies under EEOC authorities promulgated in Reorganization Plan No. 1 of 1978, in connection with agency Equal Employment Opportunity programs.

b. To disclose information to the Merit Systems Protection Board, including the Office of the Special Counsel, in response to its request in connection with the processing of appeals, special studies relating to the civil service and other merit systems in the executive branch, investigations into allegations of prohibited personnel practices, and such other functions; e.g., as prescribed in 5 U.S.C. 1205 and 1206 or as may be authorized by law.

c. By the Office or employing agency maintaining the records to locate individuals for personnel research or survey response and in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

d. To disclose information to a Federal agency in response to its request for use in its Federal Equal Opportunity Recruitment Program, to the extent that the information is relevant and necessary to the agency's efforts in identifying possible sources for minority recruitment.

e. To provide information to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

f. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is party to be judicial proceeding or in order to comply with the issuance of a subpoena.

g. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders and on magnetic tape and disks.

Retrievability:

Records are retrieved by the name and social security number of the individuals on whom they are maintained.

Safeguards:

Records are retained in locked metal filing cabinets in a secured room or in a computerized system accessible by confidential passwords issued only to specific personnel.

Retention and disposal:

Records are generally retained for 2 years, except when needed to process applications or to prepare adverse impact and related reports, or for as long as an application is still under consideration for selection purposes. When records are needed in the course of an administrative procedure or litigation, they may be maintained until the administrative procedure or litigation is completed. Manual records are shredded or burned and magnetic tapes and disks are erased.

Note.—When an agency retains an automated version of any of the records in this system, maintenance of that record beyond the above retention schedules is permitted for historical or statistical analysis, but only so long as the record is not used in a determination directly affecting the individual about whom the record pertains after the prescribed destruction date.

System manager(s) and address:

Assistant Director, Office of Staffing Policy, Staffing Group, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415.

Notification procedure:

Those individuals wishing to inquire if this system contains information about them should contact the system manager, the Office's regional offices (see list of the Office's regional offices in the Appendix) covering the state where the application for Federal employment was filed, or the personnel, Equal Employment Opportunity, or Equal Employment Opportunity Recruitment office or other designated office at the agency where they took an exam, filed an application, or where they are employed. Individuals must furnish the following information for their records to be located and identified:

a. Name.

b. Social security number.

c. Title of examination, position, or vacancy announcement for which they filed.

d. The Office or employing agency where they are employed or submitted the information.

e. Signature.

Record access procedures:

Individuals wishing to request access to records about themselves should contact the appropriate office shown in the Notification Procedure section. Individuals must furnish the following information for their records to be located and identified:

a. Name.

b. Social security number.

c. Title of examination, position, or vacancy announcement for which they filed.

d. The Office's or employing agency where they are employed or submitted the information.

e. Signature.

An individual requesting access must also follow the Office's Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Individuals wishing to request amendment of their records should contact the appropriate office shown in the Notification Procedure section. Individuals must furnish the following information for their records to be located and identified.

a. Name.

b. Social security number.

c. Title of examination, position, or vacancy announcement for which they filed.

d. The Office or employing agency where they are employed or submitted the information.

e. Signature.

An individual requesting amendment must also follow the Office's Privacy Act regulations on verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

Information is provided by the individual to whom the record pertains, on such forms as Personnel Research Questionnaire 79-1 (OPM Form 1377), Background Survey Questionnaire 79-2 (OPM Form 1386), or equivalent forms, or is obtained directly from other agency or Office records (e.g., race, sex, national origin, and disability status data may be obtained from the OPM/GOVT-1, General Personnel Records system).

OPM/GOVT-8

System name:

Confidential Statements of Employment and Financial Interests.

System location:

Individual agency ethics offices or other designated agency offices.

Categories of individuals covered by the system:

Officers and employees who are required by their agency under Executive Order 11222 and 5 CFR Part 735 to file such statements. The system includes both former and current Federal employees in these categories.

Categories of records in the system:

These records contain statements of personal and family holdings and other interests in business enterprises and real property; listings of creditors and outside employment; opinions of counsel; and other information related to conflict of interest determinations.

Authority for maintenance of the system:

Executive Order 11222.

Purpose(s):

These records are maintained to meet requirements of Executive Order 11222 on the filing of employment and financial interest statements. Such statements are required to assure compliance with the standards of conduct for Government employees contained in the Executive Order and title 18 of the U.S.C., and to determine if a conflict of interest exists between the employment of individuals by the Federal Government and their personal employment and financial interests. To enable the Director of the Office of Government Ethics, to ensure that these purposes are met, agency maintained records are to be made available to that office on request.

Note.—When an agency is requested to furnish such records to the Director of the Office of Government Ethics, such a disclosure is to be considered as made pursuant to provisions of the Privacy Act (5 U.S.C. 552a(b)(1)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These statements and amended statements required by or pursuant to Executive Order 11222, Part IV, are to be held in confidence and no information shall be disclosed except:

a. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is party to a judicial proceeding or in order to comply with the issuance of a subpoena.

c. To disclose information to any source when necessary to obtain information relevant to a conflict-of-interest investigation or determination.

d. By the National Archives and Records Administration (General Services Administration) in record management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

e. To disclose information to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

f. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, in automated media, or on microfiche or microfilm.

Retrievability:

These records are retrieved by the name and social security number of the individual on whom they are maintained.

Safeguards:

These records are located in locked metal file cabinets to which only authorized personnel have access.

Retention and disposal:

These records are disposed when 6 years old; except that documents needed in an on-going investigation will be retained until no longer needed in the investigation. Disposal is by shredding or burning.

System manager(s) and address:

Director of the Office of Government Ethics, Office of Personnel Management, 1717 H Street NW, Washington, DC 20419.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contact the Ethics Officer at the agency where the reports were filed.

Individuals must furnish the following information for their records to be located and identified.

a. Full name.

b. Department or agency and component with which employed.

Record access procedures:

Individuals wishing to request access to their records should contact the Ethics Officer at the agency where the reports were filed. Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Department or agency and component with which employed.

Individuals requesting access must also comply with the Office's Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Since the information in these records is updated on a periodic basis, most record corrections can be handled through established administrative procedures for updating records. However, individuals can obtain information on the procedures for contesting the records under the provisions of the Privacy Act by contacting the Ethics Officer at the agency where the reports were filed.

Record source categories:

Information in this system of records is provided by:

a. The subject individual or by a designated person such as a trustee, attorney, accountant, or relative.

b. Federal officers who review the statements to make conflict of interest determinations.

c. Persons alleging conflicts of interests and persons contacted during any investigation of the allegations.

OPM/GOVT-9

System name:

File on Position Classification Appeals, Job Grading Appeals, and Retained Grade or Pay Appeals.

System location:

These records are located at the Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415, the Office's regional offices (see list of the Office's regional office addresses in the Appendix), agency personnel offices (or other designated offices), and Federal records centers.

Categories of individuals covered by the system:

a. Current and former Federal employees who have filed a position classification appeal or a job grading appeal with Agency Compliance and Evaluation, Office of Personnel Management; an OPM regional office; or with their agency.

b. Current and former Federal employees who have filed a retained grade or pay appeal with Agency Compliance and Evaluation, Office of Personnel Management; or an Office's regional office.

Categories of records in the system:

This system of records contains information or documents relating to the processing and adjudication of a position classification appeal, job grading appeal, or retained grade or pay appeal. The records may include information and documents regarding a personnel action of the agency involved and the decision or determination rendered by an agency regarding the classifying or grading of a position or whether an employee is to remain in a retained grade or pay category. This system may also include transcripts of agency hearings and statements from agency employees.

Note.—This system notice also covers agency files created when (a) an employee appeals a position classification or job grading decision to the Office or within the agency regardless of whether that agency appeal decision is further appealed to the Office; and (b) an employee files a retained grade or pay appeal to the Office.

Authority for maintenance of the system:

Sections 5112, 5115, 5346, and 5366 of title 5, U.S.C.

Purpose(s):

These records are primarily used to document the processing and adjudication of a position classification appeal, job grading appeal, or retained grade or pay appeal. Internally, the Office may use these records to locate individuals for personnel research.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. To disclose pertinent information to the appropriate Federal, State, or local government agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, when the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

b. To disclose information to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

c. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

d. To disclose information to any source from which additional information is requested in the course of adjudicating a position classification appeal, job grading appeal, or retained grade or pay appeal to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and identify the type of information requested.

e. To disclose information to a Federal agency, in response to its request, in connection with the hiring, retention, or assignment of an employee, the issuance of a security clearance, the conduct of a security or suitability investigation of an individual, the classifying of positions, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

f. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or in order to comply with the issuance of a subpoena.

g. By the Office or an agency in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

h. By the National Archives and Records Administration (General Services Administration) in records management inspections conducted under the authority of 44 U.S.C. 2904 and 2906.

i. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

j. To disclose information to officials of the Merit Systems Protection Board, including the Office of Special Counsel, when requested in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions; e.g., as promulgated in 5 U.S.C. 1205 and 1206, or as may be authorized by law.

k. To disclose information to the Equal Employment Opportunity Commission when requested in connection with investigations into alleged or possible discrimination practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission by the President's Reorganization Plan No. 1 of 1978, and to otherwise ensure compliance with the provisions of 5 U.S.C. 7201.

l. To disclose information to the Federal Labor Relations Authority or its General Counsel when requested in connection with investigations of allegations of unfair labor practices or matters before the Federal Service Impasses Panel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders and binders and on index cards, magnetic tape, disks, and microfiche.

Retrievability:

These records are retrieved by the subject individual's name, and the name of the employing agency of the individual on whom the record is maintained.

Safeguards:

These records are located in locked metal filing cabinets or in a secured room, with access limited to those persons whose official duties require such access.

Retention and disposal:

Records related to position classification appeal, job grading appeal, and retained grade or pay appeal files are maintained for 7 years after closing action on the case. Records are destroyed by shredding, burning, or erasing as appropriate.

System manager(s) and address:

Assistant Director for Agency Compliance and Evaluation, Office of Personnel Management, 1900 E Street NW, Washington, DC 20415.

Notification procedure:

Individuals wishing to inquire whether this system of records contains information about them should contact:

a. For records pertaining to retained grade or pay appeals, contact the system manager or the appropriate Office's regional office.

b. For records pertaining to a position classification appeal or job grading appeal, where the appeal was made only to the Office, contact the system manager or the Office's regional office, as approprate (see list of the Office's regional office addresses in the Appendix).

c. For records pertaining to a position classification appeal or job grading appeal filed only with an agency, contact the agency personnel officer or other designated officer.

d. For records pertaining to a position classification appeal or a job grading appeal filed with both the agency and the Office, contact the agency personnel officer or other designated officer or the system manager or the Office's regional office, as appropriate.

Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Date of birth.

c. Agency in which employed when the appeal was filed and the approximate date of the closing of the case.

d. Kind of action (e.g., position classification appeal, job grading appeal, or retained grade or pay appeal).

Record access procedures:

Individuals who have filed a position classification appeal, job grading appeal, or a retained grade or pay-appeal, must be provided access to the record. However, after the appeal has been closed, an individual may request access to the official copy of the records by writing the official indicated in the Notification Procedure section. Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Date of birth.

c. Agency in which employed when the appeal was filed and the approximate date of the closing of the case.

d. Kind of action (e.g., position classification appeal, job grading appeal, or retained grade or pay appeal).

Individuals requesting access must also follow the Office's Privacy Act regulations on verification of identity and access to records (5 CFR 297.201 and 297.203).

Contesting record procedures:

Review of requests from individuals seeking amendment of their records that have previously been or could have been the subject of a judicial or quasi-judicial action will be limited in scope. Review of amendment requests of these records will be restricted to determining if the record accurately documents the action of the agency or administrative body ruling on the case, and will not include a review of the merits of the action, determination, or finding. Individuals wishing to request an amendment to their records to correct factual errors should contact the appropriate official indicated in the Notification Procedure section. Individuals must furnish the following information for their records to be located and identified:

a. Full name

b. Date of birth.

c. Agency in which employed when the appeal was filed and the approximate date of the closing of the case.

d. Kind of action (e.g., position classification appeal, job grading appeal, or retained grade or pay appeal).

Individuals requesting amendment of their records must also follow the Office's Privacy Act regulations on verification of identity and amendment of records (5 CFR 297.201 and 297.208).

Record source categories:

a. Individual to whom the record pertains.

b. Agency and/or the Office records related to the action.

c. Statements from employees or testimony of witnesses.

d. Transcript of hearings.

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System name:

Employee Medical File System Records.

System location:

a. For current employees, records are located in agency medical, personnel, dispensary, health, safety, or other designated offices within the agency, with another agency providing such services for the employing agency, or with private sector contractors.

b. For former employees, most records will be located in an Employee Medical Folder (EMF) stored in Federal Records Storage Centers operated by the National Archives and Records Administration (NARA). In some cases, agencies may retain for a limited time (e.g., up to 3 years) some records on former employees.

Categories of individuals covered by the system:

Current and former Federal civilian employees.

Categories of records in the system:

Records maintained in this system include:

a. Medical records, forms, and reports completed or obtained when an individual applies for a Federal job and is subsequently employed;

b. Medical records, forms, and reports completed during employment as a condition of employment, either by the employing agency or by another agency, State or local government entity, or a private sector entity under contract to the employing agency;

c. Records resulting from the testing of the employee for use of illegal drugs under Executive Order 12564. Such records may be retained by the agency (e.g., by the agency Medical Review Official) or by a contractor laboratory. This includes records of negative results, confirmed or unconfirmed positive test results, and lists of who has been tested, who failed to report for testing, and related documents.

Note.—Records maintained by an agency dispensary are included in the system only when they are the result of a condition of employment or related to an on-the-job occurrence.

d. Agency maintained files containing reports of on-the-job injuries and medical records, forms, and reports generated as a result of the filing of a claim for Workers' Compensation, whether the claim is accepted or not. (The official compensation claim file, physically being maintained by the Department of Labor's Office of Workers' Compensation Program (OWCP) is part of that agency's system of records and not covered by this notice.)

e. All other medical records, forms, and reports created on an employee during his or her period of employment, including records retained on a short-term/temporary basis (i.e., those designated to be retained only while the employee is with that agency) and records designated for long-term retention (i.e., those retained for the employee's duration of Federal Service and for some period of time after).

Note: Records pertaining to employee drug or alcohol abuse counseling or treatment, and those pertaining to other employee counseling programs conducted under Health service Programs established pursuant to 5 U.S.C. chapter 79, are not part of this system of records.

Authority for maintenance of the system:

Executive Orders 12107 and 12564 and 5 U.S.C. Chapters 11, 31, 33, 43, 61, 63, and 83.

Purpose(s):

Records in this system of records are maintained for a variety of purposes, which include the following:

a. To ensure that records required to be retained on a long-term basis to meet the mandates of law, Executive order, or regulations (e.g., the Department of Labor's Occupational Safety and Health Administration (OSHA) and OWCP regulations), are so maintained.

b. To provide data necessary for proper medical evaluations and diagnoses, to ensure that proper treatment is administered, and to maintain continuity of medical care.

c. To provide an accurate medical history of the total health care and medical treatment received by the individual as well as job and/or hazard exposure documentation and health monitoring in relation to health status and claims of the individual.

d. To enable the planning for further care of the patient.

e. To provide a record of communications among members of the health care team who contribute to the patient's care.

f. To provide a legal discount describing the health care administered and any exposure incident.

g. To provide a method for evaluating quality of health care rendered and job-health-protection including engineering protection provided, protective equipment worn, workplace monitoring, and medical exam monitoring required by OSHA or by good practice.

h. To ensure that all relevant, necessary, accurate, and timely data are available to support any medically-related employment decisions affecting the subject of the records (e.g., in connection with fitness-for-duty and disability retirement decisions).

i. To document claims filed with the decisions reached by OWCP and the individual's possible reemployment rights under statutes governing that program.

j. To document employee's reporting of on-the-job injuries or unhealthy or unsafe working conditions, including the reporting of such conditions to OSHA and actions taken by that agency or by the employing agency.

k. To ensure proper and accurate operation of the agency's employee drug testing program under Executive Order 12564.

Note: Except for Routine Use u, no other Routine Use for this system of records applies to records included in paragraph c in the Categories of Records in the System section of this notice. Further, agencies are reminded that Routine Use disclosures are permissive in nature and should be limited to only those records/portions of a record that meet the requirements of the requester.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

a. To disclose information to the Department of Labor, Veterans Administration, Social Security Administration, or a national, State, or local social security type agency, when necessary to adjudicate a claim (filed by or on behalf of the individual) under a retirement, insurance, or health benefit program.

b. To disclose information to a Federal, State, or local agency to the extent necessary to comply with laws governing reporting of communicable diseases.

c. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, either when the Government is a party to a judicial proceeding or to comply with the issuance of a subpoena.

d. To disclose information to the Department of Justice, or in a proceeding before a court, adjudicative body, or other administrative body before which the agency is authorized to appear, when:

1. The agency, or any component thereof; or

2. Any employee of the agency in his or her official capacity; or

3. Any employee of the agency in his or her individual capacity where the Department of Justice or the agency has agreed to represent the employee; or

4. The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice or the agency is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case it has been determined that the disclosure is compatible with the purpose of which the records were collected.

e. To disclose in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

f. To disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order when the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

g. To disclose information to the Office of Management and Budget at any stage in the legislative coordination and clearance process in connection with private relief legislation as set forth in OMB Circular No. A-19.

h. To disclose information to a congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

i. To disclose information to officials of the Merit Systems Protection Board including the Office of Special Counsel, the Federal Labor Relations Authority and its general counsel, the Equal Employment Opportunity Commission, arbitrators, and hearing examiners to the extent necessary to carry out their authorized duties.

j. To disclose information to survey team members from the Joint Commission on Accreditation of Hospitals (JCAH) when requested in connection with an accreditation review, but only to the extent that the information is relevant and necessary to meet JCAH standards.

k. To disclose information to the National Archives and Records Service in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

l. To disclose information to health insurance carriers contracting with the Office of Personnel Management (hereafter referred to as "the Office") to provide a health benefits plan under the Federal Employees Health Benefits Program information necessary to verify eligibility for payment of a claim for health benefits.

m. By the agency maintaining or responsible for generating the records to locate individuals for health research or survey response and in the production of summary descriptive statistics and analytical studies (e.g., epidemiological studies) in support of the function for which the records are collected and maintained. While published statistics and studies do not contain individual identifiers, in some instances the selection of elements of data included in the study might be structured in such a way as to make the data individually identifiable by inference.

n. To disclose information to the Office of Federal Employees Group Life Insurance that is relevant and necessary to adjudicate claims.

o. To disclose information, when an individual to whom a record pertains is mentally incompetent or under other legal disability, to any person who is responsible for the care of the individual, to the extent necessary.

p. To disclose to the agency-appointed representative of an employee all notices, determinations, decisions, or other written communications issued to the employee, in connection with an examination ordered by the agency under:

(1) Medical evaluation (formerly Fitness for Duty) examinations procedures; or

(2) Agency-filed disability retirement procedures.

q. To disclose to a requesting agency, organization, or individual the home address and other information concerning those individuals who it is reasonably believed might have contracted an illness or been exposed to or suffered from a health hazard while employed in the Federal work force.

r. To disclose information to a Federal agency, in response to its request or at the initiation of the agency maintaining the records, in connection with the retention of an employee, the issuance of a security clearance, the conducting of a suitability or security investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, or the lawful, statutory, administrative, or investigative purpose of the agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

s. To disclose to any Federal, State, or local government agency, in response to its request or at the initiation of the agency maintaining the records, information relevant and necessary to the lawful, statutory, administrative, or investigatory purpose of that agency as it relates to the conduct of job related epidemiological research or the ensurance of compliance with Federal, State, or local government laws on health and safety in the work environment.

t. To disclose to officials of labor organizations recognized under 5 U.S.C. Chapter 71, analyses using exposure or medical records and employee exposure records, in accordance with the records access rules of the Department of Labor's OSHA, and subject to the limitations at 29 CFR 1910.20(e)(2)(iii)(B).

u. To disclose the results of a drug test of a Federal employee pursuant to an order of a court of competent jurisdiction where required by the United States Government to defend against any challenge against any adverse personnel action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in file folders, on microfiche, in automated record systems, and on file cards, X-rays, or other medical reports and forms.

Retrievability:

Records are retrieved by the employee's name, date of birth, social security number, or any combination of those identifiers.

Safeguards:

Records are stored in locked file cabinets or locked rooms. Automated records are protected by restricted access procedures and audit trails. Access to records is strictly limited to agency or contractor officials with a bona fide need for the records.

Retention and disposal:

Some records are retained for the duration of employment with a given agency. Other records are retained for the duration of Federal employment, plus 30 years. Records arising in connection with employee drug testing under Executive Order 12564 are generally retained for up to 2 years. Records are destroyed by shredding, burning, or by erasing the disk.

System manager(s) and address:

Assistant Director for Workforce Information, Personnel Systems and Oversight Group, U.S. Office of Personnel Management, Room 5415, 1900 E Street, NW., Washington, DC 20415.

Notification procedure:

Individuals wishing to inquire whether this system of records contains record on them should follow the appropriate procedure listed below.

a. Current employees. Current employees should contact their employing agency's personnel, dispensary, health, safety, medical, or other designated office responsible for maintaining the records, as identified in the agency's internal issuance covering this system. Individuals must furnish such identifying information as required by the agency for their records to be located to and identified.

b. Former employees. Former employees should contact their former agency's personnel, dispensary, health, safety, medical, or other designated office responsible for maintaining the records, as identified in the agency's internal issuance covering this system. Additionally, for access to their EMF, they should submit a request to the Office's regional office nearest their residence. Individuals submitting requests to the Office's regional and area offices must submit the following information for the records to be located and identified:

1. Full name.
2. Date of birth.
3. Social security number.
4. Name and location of agency where last employeed and dates of employment.
5. Signature.

Record access procedures:

a. Current employees should contact the appropriate agency office as indicated in the "Notification Procedure" section and furnish such identifying information as required by the agency to locate and identify the records sought.

b. Former employees should contact the appropriate agency office as indicated in the Notification Procedure section and furnish such identifying information as required by the agency to locate and identify the records sought. Former employees may also submit a request to the Office's regional or area office nearest their residence for access to their EMF. When submitting a request to the Office, the individual must furnish the following information to locate and indentify the record sought:

1. Full name.
2. Date of birth.
3. Social security number.

4. Name and location of agency where last employeed and dates of employment.

5. Signature.

c. Individuals requesting access must also comply with the Office's Privacy Act regulations on verification of identity and access to records (5 CFR Part 297).

Contesting record procedures:

Because medical practitioners often provide differing but equally valid medical judgments and opinions when making medical evaluations of an individual's health status, review of requests from individuals seeking amendment of their medical records, beyond correction and updating of the records, will be limited to consideration of including the differing opinion in the record rather than attempting to determine whether the original opinion is accurate.

Individuals wishing to amend their records should:

a. For a current employee, contact the appropriate agency office identified in the Notification Procedure section and furnish such identifying information as required by the agency to locate and identify the records to be amended.

b. For a former employee, contact the appropriate agency office identified in the Notification Procedure section and furnish such identifying information as required by the agency to locate and identify the record to be amended. Former employees may also submit such a request to amend records in their EMF to the system manager. When submitting a request to the system manager, the individual must furnish the following information to locate and identify the records to be amended:

1. Full name.
2. Date of birth.
3. Social security number.
4. Name and location of agency where last employed and dates of employment.
5. Signature.

c. Individuals seeking amendment of their records must also follow the Office's Privacy Act regulations on verification of identity and amendment of records (5 CFR Part 297).

Record source categories:

Records in this system are obtained from:

a. The individual to whom the records pertain.

b. Agency employee health unit staff.

c. Federal and private sector medical practitioners and treatment facilities.

d. Superviors/managers and other agency officials.

e. Other agency records.

Appendix

CHICAGO REGION
John Kluczynski Building, 230 South Dearborn Street, Chicago, IL 60604
Area Offices
Illinois—219 South Dearborn Street, Chicago, IL 60604
Indiana—U.S. Courthouse and Federal Building, 46 East Ohio Street, Indianapolis, IN 46204
Michigan—477 Michigan Avenue, Room 565, Detroit, MI 48226
Minnesota—Federal Building, Room 501, Fort Snelling, Twin Cities, MN 55111
Ohio—U.S. Courthouse and Federal Building, Room 507, 200 West 2nd Street, Dayton, OH 45402

DENVER REGION
Building 20, Denver Federal Center, Denver, CO 80225
Area Offices
None

DALLAS REGION
1100 Commerce Street, Dallas, TX 75242
Area Offices
Louisiana—Federal Building, 610 South Street, New Orleans, LA 70130
New Mexico—421 Gold Avenue, SW, Albuquerque, NM 87102
Oklahoma/Arkansas—200 5th Street, NW, Oklahoma City, OK 73102
Texas—643 East Durango Blvd., San Antonio, TX 78205

NEW YORK REGION
Jacob K. Javits Federal Building, 26 Federal Plaza, New York, NY 10278
Area Offices
New Jersey—Peter W. Rodino, Jr. Federal Building, 970 Broad Street, Newark, NJ 07102
New York—U.S. Courthouse and Federal Building, 100 South Clinton Street, Syracuse, NY 13260
Puerto Rico—Federico Degetau Federal Office Building, Carlos E. Chadron Street, Hato Rey, PR 00918

PHILADELPHIA REGION
William J. Green, Jr. Federal Building, 600 Arch Street, Philadelphia, PA 19106
Area Offices
Maryland—Edward A. Garmatz Federal Building and Courthouse, 101 West Lombard Street, Baltimore, MD 21201
Pennsylvania—Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222
Virginia—Federal Building, 200 Granby Mall, Norfolk, VA 23510

ST. LOUIS REGION
300 Old Post Office Building, 815 Olive Street, St. Louis, MO 63103
Area Offices
Kansas—120 South Market Street, Wichita, KS 67202
Missouri—East 12th Street, Kansas City, MO 64106

SAN FRANCISCO REGION
525 Market Street, 23rd Floor, San Francisco, CA 94105
Area Offices
Arizona—522 North Central Avenue, Phoenix, AZ 85004
California—
845 South Figueroa Street, Los Angeles, CA 90017
1029 J Street, Room 202, Sacramento, CA 95814
880 Front Street, San Diego, CA 92188
Hawaii—300 Ala Moana Blvd., P.O. Box 50028, Honolulu, HI 96850

SEATTLE REGION
Federal Building, 26th Floor, 915 2nd Avenue, Seattle, WA 98174
Area Offices
Alaska—Federal Building and Courthouse, 700 C Street, Box 22, Anchorage, AK 98513
Oregon—Federal Building, Room 376, 1220 3rd Street, SW, Portland, OR 97204

ATLANTA REGION
Richard B. Russell Federal Building, 75 Spring Street, SW, Atlanta, GA 30303
Area Offices
Alabama—Southerland Building, 806 Governors Drive, SW., Huntsville, AL 35801
Florida—Federal Building, 80 North Hughey Avenue, Orlando, FL 32801
North Carolina—310 New Bern Avenue, P.O. Box 25069, Raleigh, NC 27611
South Carolina—Federal Office Building, 334 Meeting Street, Charleston, SC 29403
Tennessee—100 North Main Building, Memphis, TN 38103

BOSTON REGION
John W. McCormack Post Office and Courthouse, Boston, MA 02109
Area Offices
Connecticut—Federal Building, 450 Main Street, Hartford, CT 06103
Massachusetts—3 Center Plaza, Boston, MA 02108
New Hampshire—Federal/Post Office Building, Portsmouth, NH 03801

Title 5-Administrative Personnel

Chapter I-Office of Personnel Management

PART 293—PERSONNEL RECORDS

Subpart A—Basic Policies on Maintenance of Personnel Records

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Authority: 5 U.S.C. 552a; Executive Order 12107, (December 28, 1978), 5 U.S.C. 1302. 3 CFR 1954–1958 Compilation; 5 CFR 7.2; Executive Order 9830, 3 CFR 1943–1948 Compilation.

Source: 44 FR 65033, Nov. 9, 1979, unless otherwise noted.

Subpart A—Basic Policies on Maintenance of Personnel Records

§ 293.101 Purpose and scope.

(a) This subpart sets forth basic policies governing the creation, development, maintenance, processing, use, dissemination, and safeguarding of personnel records which the Office of Personnel Management requires agencies to maintain in the personnel management or personnel policy setting process.

(b) Agencies in the Executive Branch of the Federal Government are subject to specific Office of Personnel Management recordkeeping requirements to varying degrees, pursuant to statute, Office regulation, or formal agreements between the Office and agencies. This subpart applies to any department or independent establishment in the Executive Branch of the Federal Government, including a government corporation or Government controlled corporation, except those specifically excluded from Office recordkeeping requirements by statute, Office regulation, or formal agreement between the Office and that agency.

§ 293.102 Definitions.

In this part:

"Agency" means any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the Executive Branch of the Government (including the Executive Office of the President), or any independent regulatory agency;

"Data subject" means the individual about whom the Office or agency is maintaining information in a system of records;

"Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

"Information" means papers, records, photographs, magnetic storage media, micro storage media, and other documentary materials regardless of physical form or characteristics, containing data about an individual and required by the Office in pursuance of law or in connection with the discharge of official business, as defined by statute, regulation, or administrative procedure;

"Maintain" includes collect, use, or disseminate;

"Office" means the Office of Personnel Management;

"Personnel record" means any record concerning an individual which is maintained an used in the personnel management or personnel policysetting process. (For purposes of this part, this term is not limited just to those personnel records in a system of records and subject to the Privacy Act);

"Record" means any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his or her education, financial transactions, medical history, criminal history, or employment history;

"System of records" means a group of records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

§ 293.103 Recordkeeping standards.

(a) The head of each agency shall ensure that persons having access to or involved in the creation, development, processing, use, or maintenance of personnel records are informed of pertinent recordkeeping regulations and requirements of the Office of Personnel Management and the agency. Authority to maintain personnel records does not constitute authority to maintain information in the record merely because it may be useful; both Government-wide and internal agency personnel records shall contain only information concerning an individual that is relevant and necessary to accomplish the Federal personnel management purposes required by statute, Executive order, or Office regulation.

(b) The Office is responsible for establishing minimum standards of accuracy, relevancy, necessity, timeliness, and completeness for personnel records it requires agencies to maintain. These standards are discussed in appropriate chapters of the Federal Personnel Manual. Before approval of any agency requests for changes in recordkeeping practices governed by the Federal Personnel Manual, the Office will examine the proposal or request in the context of such standards set forth by the agency in support of the proposal and in light of the personnel program area that requires these records.

§ 293.104 Collection of information.

(a) Any information in personnel records whether or not those records are in a system of records, used in whole or in part in making a determination about an individual's rights, benefits, or privileges under Federal personnel programs should, to the greatest extent practicable, be collected directly from the individual concerned. Factors to be considered in determining whether to collect the data from the individual concerned or a third party are when:

(1) The nature of the information is such that it can only be obtained from another party;

(2) The cost of collecting the information directly from the individual is unreasonable when compared with the cost of collecting it from another party;

(3) There is virtually no risk that information collected from other parties, if inaccurate, could result in a determination adverse to the individual concerned;

(4) The information supplied by an individual must be verified by another party; or

(5) There are provisions made, to the greatest extent practicable, to vertify information collected from another party with the individual concerned.

§ 293.105 Restrictions on collection and use of information.

(a) First Amendment. Personnel records describing how individuals exercise rights guaranteed by the First Amendment are prohibited unless expressly authorized by statute, or by the individual concerned, or unless pertinent to and within the scope of an authorized law enforcement activity. These rights include, but are not limited to, free exercise of religious and political beliefs, freedom of speech and the press, and freedom to assemble and to petition the government.

(b) Social Security Number.

(1) Agencies may not require individuals to disclose their Social Security Number unless disclosure would be required;

(i) Under Federal statute; or

(ii) Under any statute, Executive order, or regulation that authorizes any Federal, State, or local agency maintaining a system of records that was in existence and operating prior to January 1, 1975, to request the Social Security Number as a necessary means of verifying the identity of an individual.

(2) Individuals asked to voluntarily (circumstances not covered by paragraph (b)(1) of this section) provide their Social Security Number shall suffer no penalty or denial of benefits for refusing to provide it.

§ 293.106 Safeguarding information about individuals.

(a) To ensure the security and confidentiality of personnel records, in whatever form, each agency shall establish administrative, technical, and physical controls to protect information in personnel records from unauthorized access, use, modification, destruction, or disclosure. As a minimum, these controls shall require that all persons whose official duties require access to and use of personnel records be responsible and accountable for safeguarding those records and for ensuring that the records are secured whenever they are not in use or under the direct control of authorized persons. Generally, personnel records should be held, processed, or stored only where facilities and conditions are adequate to prevent unauthorized access.

(b) Personnel records must be stored in metal filing cabinets which are locked when the records are not in use, or in a secured room. Alternative storage facilities may be employed provided they furnish an equivalent or greater degree of security than these methods. Except for access by the data subject, only employees whose official duties require access shall be allowed to handle and use personnel records, in whatever form or media the records might appear. To the extent feasible, entry into personnel record storage areas shall be similarly limited. Documentation of the removal of records from storage areas must be kept so that adequate control procedures can be established to assure that removed records are returned on a timely basis.

(c) Disposal and destruction of personnel records shall be in accordance with the General Record Schedule issued by the General Services Administration for the records or, alternatively, with Office or agency records control schedules approved by the National Archives and Records Service of the General Services Administration.

§ 293.107 Special safeguards for automated records.

(a) In addition to following the security requirements of § 293.106 of this part, managers of automated personnel records shall establish administrative, technical, physical, and security safeguards for data about individuals in automated records, including input and output documents, reports, punched cards, magnetic tapes, disks, and on-line computer storage. The safeguards must be in writing to comply with the standards on automated data processing physical security issued by the National Bureau of Standards, U.S. Department of Commerce, and, as a minimum, must be sufficient to:

(1) Prevent careless, accidental, or unintentional disclosure, modification, or destruction of identifiable personal data;

(2) Minimize the risk that skilled technicians or knowledgeable persons could improperly obtain access to, modify, or destroy identifiable personnel data;

(3) Prevent casual entry by unskilled persons who have no official reason for access to such data;

(4) Minimize the risk of an unauthorized disclosure where use is made of identifiable personal data in testing of computer programs;

(5) Control the flow of data into, through, and from agency computer operations;

(6) Adequately protect identifiable data from environmental hazards and unneccessary exposure; and

(7) Assure adequate internal audit procedures to comply with these procedures.

(b) The disposal of identifiable personal data in automated files is to be accomplished in such a manner as to make the data unobtainable to unauthorized personnel. Unneeded personal data stored on reusable media such as magnetic tapes and disks must be erased prior to release of the media for reuse.

§ 293.108 Rules of conduct.

(a) *Scope.* These rules of conduct apply to all Office and agency employees responsible for creation, development, maintenance, processing, use, dissemination, and safeguarding of personnel records. The Office and agencies shall require that such employees are familiar with these and appropriate supplemental agency internal regulations.

(b) *Standards of Conduct.* Office and agency employees whose official duties involve personnel records shall be sensitive to individual rights to personal privacy and shall not disclose information from any personnel record unless disclosure is part of their official duties or required by executive order, regulation, or statute (e.g., required by the Freedom of Information Act, 5 U.S.C. 552).

(c) *Improper uses of personnel information.* Any Office or agency employee who makes a disclosure of personnel records knowing that such disclosure is unauthorized, or otherwise knowingly violates these regulation, shall be subject to disciplinary action and may also be subject to criminal penalties where the records are subject to the Privacy Act (5 U.S.C. 552a). Employees are prohibited from using personnel information not available to the public, gained through official duties, for commercial solicitation or sale, or for personal gain.

Subpart B—Personnel Records Subject to the Privacy Act

§ 293.201 Purpose.

The purpose of this subpart is to set forth the criteria to be used to determine when personnel records on individuals are subject both to the regulations contained in this part and to Office or agency regulations implementing the Privacy Act of 1974, 5 U.S.C. 552a. When personnel records are maintained within a system of records, the records are deemed to be within the scope of both the regulations in this part and Office or agency regulations implementing the Privacy Act.

§ 293.202 Records subject to Office or agency Privacy Act regulations.

When the Office of Personnel Management publishes in the **Federal Register** a notice of system of records for personnel records which are maintained by the agencies or by the Office, that system of records will be subject to the regulations in this part and also to the regulations in Part 297 of this chapter. When agencies publish a notice of system of records for personnel records required by the Office that are not included in the Office's notices, those agency systems of records will be subject both to the regulations contained in this part and to agency promulgated regulations that implement the Privacy Act.

§ 293.203 Review of Office or agency practices.

Reviews of agency personnel management policies and practices will be conducted to insure compliance with Office regulations. The Office may direct agencies to take whatever corrective action is necessary. Office or agency officials who have knowledge of violations of these regulations shall take whatever corrective action is necessary. Agencies shall list officials of the Office of Personnel Management as a routine user for personnel records to assist the Office in its oversight responsibilities.

Subpart C—Official Personnel Folder

§ 293.301 Applicability of regulations.

This subpart applies to, and within this subpart "agency" means, except those specifically excluded from Office recordkeeping requirements by statute, Office regulation or formal agreement between the Office and the agency, each executive department and independent establishment of the Federal Government, each corporation wholly owned or controlled by the United States, and with respect to positions subject to civil service rules and regulations, the legislative and judicial branches of the Federal Government and the District of Columbia Government.

§ 293.302 Establishment of Official Personnel Folder.

Each agency shall establish an Official Personnel Folder for each employee occupying a position subject to this part, except as provided in § 293.306. Except as provided for in Federal Personnel Manual Supplement 293–31, there will be only one Official Personnel Folder maintained for each employee.

§ 293.303 Ownership of folder.

The Official Personnel Folder of each employee in a position subject to civil service rules and regulations is under the jurisdiction and control of, and is part of the records of, the Office of Personnel Management.

§ 293.304 Maintenance and content of folder.

The head of each agency shall maintain in the Official Personnel Folder the reports of selection and other personnel actions named in section 2951 of title 5, United States Code. The folder shall also contain permanent records affecting the employee's status and service as required by the Office's instructions and as designated in FPM Supplement 293–31.

§ 293.305 Type of folder to be used.

Each agency shall use only Official Personnel Folders from Federal Supply Service contracts or stock for the folders required by this part.

§ 293.306 Use of existing folders upon transfer or reemployment.

When an agency hires a person who has served on or after April 1, 1947, in a position subject to this part, it shall request the transfer of the Official Personnel Folder pertaining to the person's employment. The folder so obtained shall be used in lieu of establishing a new Official Personnel Folder.

(a) When a person for whom an Official Personnel Folder has been established transfers from one agency to another, the last employing (losing) agency shall, on request, transfer the folder to the new employing agency.

(b) Before transferring the Official Personnel Folder, the losing agency shall:

(1) Remove those records of a temporary nature filed on the left side of the folder; and

(2) Ensure that all permanent documents of the folder are complete, correct, and present in the folder in accordance with FPM Supplement 293–31.

§ 293.307 Disposition of folders of former Federal employees.

(a) Folders of persons separated from employment must be retained by the losing agency for thirty days after separation, and may be retained for an additional sixty days. Thereafter, the folder should be transferred to the General Services Administration, National Personnel Records Center (Civilian), 111 Winnebago Street, St. Louis, Missouri 63118.

(b) When a former Federal employee is reappointed in the Federal service, the National Personnel Records Center (Civilian) shall, upon request, transfer the folder to the new employing agency.

§ 293.308 Removal of temporary records from folders.

The employing agency having possession of an Official Personnel Folder shall remove temporary records from the folder before it is transferred to another agency in accordance with General Schedule 1 promulgated by the General Services Administration.

5 CFR PART 297—PRIVACY PROCEDURES FOR PERSONNEL RECORDS

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Authority: Sec. 3, Pub. L. 93–579, 88 Stat. 1896 (5 U.S.C. 552a).

Source: 53 FR 1997, Jan. 26, 1988.

Subpart A—General Provisions

§ 297.101 Purpose and scope.

This part sets forth the regulations of the U.S. Office of Personnel Management (the Office) to govern the maintenance, protection, disclosure, and amendment of records within the systems of records as defined by the Privacy Act of 1974 (5 U.S.C. 552a), Pub. L. 93–579.

§ 297.102 Definitions.

In this part, the terms "agency," "individual," "maintain," "record," "statistical records," and "systems of records" have the same meanings as defined in the Privacy Act, 5 U.S.C. 552a. In addition:

"Access" means providing a copy of a record to, or allowing review of the original record by, the data subject or the data subject's authorized representative, parent, or legal guardian;

"Act" means the Privacy Act of 1974, Pub. L. 93–579, 5 U.S.C. 552a, as amended;

"Agency" means any department or independent establishment in the Executive Branch of the Federal Government, including a Government corporation, of Government-controlled corporation, except those specifically excluded from the Office recordkeeping requirements by statute, this title, or formal agreement between the Office and the agency.

"Amendment" means the correction, addition, deletion, or destruction of a record or specific portions of a record;

"Data subject" means the individual to whom the information pertains and by whose name or other individual identifier the information is retrieved;

"Disclosure" means providing personal review of a record, or a copy thereof, to someone other than the data subject or the data subject's authorized representative, parent, or legal guardian;

"Office" means the U.S. Office of Personnel Management;

"Personnel record" means any record concerning an individual which is maintained and used in the personnel management or personnel policy-making process; and

"System manager" means the Office or agency official, designated by the head of the agency, who has the authority to decide Privacy Act matters relative to each system of records maintained by the Office.

§ 297.103 Designations of authority by system manager.

The responsible Office system manager having jurisdiction over a system of records may designate in writing an Office employee to evaluate and issue the Office's decision on Privacy Act matters relating to either internal, central, or Governmentwide systems of records.

§ 297.104 Types of records.

The Office manages three generic types of personnel records systems:

(a) Internal systems of records are under the Office's physical control and are established and maintained by the Office solely on its own employees and, when appropriate, on others in contact with the Office regarding matters within its authority.

(b) Centralized systems of personnel records are physically established and maintained by the Office with regard to most current and former Federal employees and some applicants for Federal employment.

(c) Governmentwide systems of personnel records are maintained by the Office, and through Office delegations of authority, by Federal agencies with regard to their own employees or applicants for employment. Although they are Office records, they are in the physical custody of those agencies. Though in the physical custody of agencies, the Office retains authority under its record management authority and under the Privacy Act to decide appeals of initial agency determinations regarding access to and amendment of material in these systems.

§ 297.105 Agency and Office responsibilities for systems of records and applicability of the regulations.

(a) These regulations apply to processing requests from both current and former Office employees for records contained in internal, central, and Governmentwide systems of records managed by the Office.

(b) Agencies are solely and totally responsible for processing requests regarding records maintained in their internal systems of records. Agency regulations, and not these Office regulations, govern the implementation of the Privacy Act for agency internal systems; there is no right of appeal to the Office from an agency's determination regarding its internal agency records.

(c) For records maintained in the Office's central systems of records, the data subject should contact the appropriate Office system manager concerning Privacy Act matters. These regulations will apply to inquiries regarding records located in the central systems of records.

(d) For records maintained within the Office's Governmentwide systems of records, each agency is responsible, unless specifically excepted by the Office, for responding to initial Privacy Act access and amendment requests from its own current employees. For records in Office Governmentwide systems, including those in Official Personnel Folders, Employee Performance Folders, and Employee Medical Folders, the Office is responsible for responding to initial Privacy Act access and amendment requests from former Federal employees.

(e) The procedures in this part apply to all such requests. The procedures in this part also apply to appeals from an agency initial determination regarding access to or amendment of records contained in the Office's Governmentwide systems of records.

(f) The Office follows the procedures in this part when—

(1) Processing initial requests regarding access to or amendment of records by its own employees and others that the Office is maintaining information on in its systems of records, including requests from former employees of an agency whose records properly reside in an Office Governmentwide system of records.

(2) Processing Privacy Act appeals regarding access to and amendment of records generated by another Federal agency, but which are contained in the Office's Governmentwide systems of records, after an agency has issued the initial decision.

(3) Processing initial requests and appeals concerning access to and amendment of records contained in the central systems of records.

(g) For requests concerning records and material of another agency that are in the custody of the Office, but not under its control or ownership, the Office reserves the right to either refer the request to the agency primarily responsible for the material or to notify the individual of the proper agency that should be contacted.

§ 297.106 Contact point for Privacy Act matters.

To determine what records the Office maintains in its system of records, requesters must write to the Assistant Director for Workforce Information, Personnel Systems and Oversight Group, Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415. Using the Office's response, requesters can contact the particular system manager indicated in the Office's notices of its systems published in the **Federal Register** for further assistance in determining if the Office maintains information pertaining to them.

Subpart B—Request for Access

§ 297.201 General provisions.

(a) Individual's requesting access to records pertaining to them that are maintained in a system of records should submit a written request to the appropriate system manager and state that the request is being made pursuant to the Privacy Act of 1974.

(b) The Office or agency will require proof of identity from a requester. The Office or agency reserves the right to determine the adequacy of any such proof. The general identifying items the Office will require a requester to provide when a request is made to the Office are—

(1) Full name, signature, and home address;

(2) Social security number (for systems of records that include this identifier);

(3) Current or last place and dates of Federal employment, when appropriate and,

(4) Date and place of birth.

(c) An individual may be represented by another when requesting access to records.

§ 297.202 Methods of access.

(a) The methods for allowing access to records, when such access has been granted by the Office or agency, are:

(1) Inspection in person in the designated office during the hours specified by the Office or agency; or

(2) Transfer of records at the option of the Office or agency to another more convenient Federal facility.

(b) Generally, Office of Personnel Management offices will not furnish certified copies of records. When copies are to be furnished, they may be provided as determined by the Office and may require payment of any fee levied in accordance with the Office's established fee schedule.

(c) When the requester seeks to obtain original documentation, the Office reserves the right to limit the request to copies of the original records. Original records should be made available for review only in the presence of the system manager or designee. An agency should consult with the Office when it receives a request for original documentation. Section 2701(a) of title 18 of the United States Code makes it a crime to conceal, mutilate, obliterate, or destroy any record filed in a public office, or to attempt to do so.

§ 297.203 Access by the parent of a minor or by the legal guardian of an individual declared to be incompetent.

(a) A parent, legal guardian, or custodian of a minor, upon presentation of suitable personal identification, may access on behalf of a minor any record pertaining to the minor in a system of records maintained by the Office.

(b) A legal guardian, upon presentation of documentation establishing guardianship, may access on behalf of an individual declared to be incompetent by a court of competent jurisdiction, any record pertaining to that individual in a system of records maintained by the Office.

(c) Minors are not precluded from exercising personally those rights provided them by the Privacy Act.

§ 297.204 Access by the representative of the data subject.

A record may be disclosed to a representative of the individual to whom the record pertains after the system manager receives written authorization from the individual who is the subject of the record.

§ 297.205 Access to medical records.

When a request for access involves medical or psychological records that the system manager believes requires special handling, the requester should be advised that the material will be provided only to a physician designated by the data subject. Upon receipt of the designation and upon verification of the physician's identity, the records will be made available to the physician, who will have full authority to disclose those records to the data subject when appropriate.

§ 297.206 Fees charged by the Office.

(a) No fees will be charged for search and review time expended by the Office to produce a record, or for making a photostatic copy of the record, or for having it personally reviewed by the data subject, when a record is retrieved from a system of records pertaining to that data subject. Additional copies provided may be charged under the Office's established fee schedule.

(b) When the fees chargeable under this section will amount to more than $25, the requester will be notified and payment of fees may be required before the records are provided.

(c) Remittance should be made by either a personal check, bank draft, or a money order that is made payable to the U.S. Office of Personnel Management and addressed to the appropriate system manager.

§ 297.207 Denials of access and appeals with respect to such denials.

(a) If an access request is denied, the Office or agency response will be in writing and will include a statement of the reasons for the denial and the procedures available to appeal the denial, including the name, position title, and address of the Office official responsible for the review.

(b) Nothing in this part should be construed to entitle a data subject the right to access any information compiled in reasonable anticipation of a civil action or proceeding.

(c) For denials of access made under this subpart, the following procedures apply:

(1) For initial denials made by an agency, when the record is maintained in an Office Governmentwide system of records, a request for adminstrative review should be made only to the Assistant Director for Workforce Information, Personnel Systems and Oversight Group, U.S. Office of Personnel Management, 1900 E Street NW., Washington, DC 20415.

(2) For denials initially made by an Office official, when a record is maintained in an internal or central system of records, a request for administrative review should be made to the Information and Privacy Appeals Counsel, Office of the General Counsel, U.S. Office of Personnel Management, 1900 E Street NW., Washington, DC 20415.

(3) Any administrative review decision that either partially or fully supports the initial decision and denies access to the material the individual originally sought should state the requester's right to seek judicial review of the final administrative decision.

§ 297.208 Judicial review.

Upon receipt of notification that the denial of access has been upheld on administrative review, the requester has the right to judicial review of the decision for up to 2 years from the date on which the cause of action arose. Judicial review may be sought in the district court of the United States in the district in which—

(a) The requester resides;

(b) The requester has his or her principal place of business; or

(c) The agency records are situated; or it may be sought in the district court of the District of Columbia.

Subpart C—Amendment of Records

§ 297.301 General provisions.

(a) Individuals may request, in writing, the amendment of their records maintained in an Office system of records by contacting the appropriate system manager. The Office or agency will require proof of identity from a requester. The Office or agency reserves the right to determine the adequacy of any such proof. The general identifying items the Office will require a requester to provide when a request is made to the Office are—

(1) Full name, signature, and home address;

(2) Social security number (for systems of records that include this identifier);

(3) Current or last place and dates of Federal employment, when appropriate; and

(4) Date and place of birth.

(b) An individual may be represented by another party when requesting amendment of records.

(c) A request for amendment should include the following:

(1) The precise identification of the records to be amended;

(2) The identification of the specific material to be deleted, added, or changed; and

(3) A statement of the reasons for the request, including all available material substantiating the request.

(d) Requests for amendment of records should include the words "PRIVACY ACT AMENDMENT REQUEST" in capital letters on both the envelope and at the top of the request letter.

(e) A request for administrative review of an agency denial to amend a record in the Office's systems of records should be addressed to the Assistant Director for Workforce Information, Personnel Systems and Oversight Group, U.S. Office of Personnel Management, 1900 E Street NW., Washington, DC 20415.

(f) A request for administrative review of a denial to amend a record by an Office official should be addressed to the Information and Privacy Appeals Counsel, Office of the General Counsel, U.S. Office of Personnel Management, 1900 E Street NW., Washington, DC 20415.

(g) The burden of proof demonstrating the appropriateness of the requested amendment rests with the requester; and, the requester must provide relevant and convincing evidence in support of the request.

§ 297.302 Time limits.

The system manager should acknowledge receipt of an amendment request within 10 working days and issue a determination as soon as practicable. This timeframe begins when the request is received by the proper Office or agency official.

§ 297.303 Applicability of amendment provisions.

(a) The amendment procedures are not intended to allow a challenge to material that records an event that actually occurred nor are they designed to permit a collateral attack upon that which has been or could have been the subject of a judicial, quasi-judicial, or administrative proceeding. The amendment procedures are also not designed to change opinions in records pertaining to the individual.

(b) The amendment procedures apply to situations when an occurrence that is documented was challenged through an established judicial, quasi-judicial, or administrative procedure and found to be inaccurately described; when the document is not identical to the individual's copy; or when the document is not created in accordance with the applicable recordkeeping requirements. (For example, the amendment provisions are not designed to allow a challenge to the merits of an agency adverse action that is documented in an individual's Official Personnel Folder.)

§ 297.304 Approval of requests to amend records.

(a) If the system manager determines that amendment of a record is appropriate, the system manager will take the necessary steps to have the necessary changes made and will see that the individual receives a copy of the amended record.

(b) When practicable and appropriate, the system manager will advise all prior recipients of the fact that an amendment of a record has been made.

§ 297.305 Denial of requests to amend records.

(a) If the Office or agency system manager decides not to amend the record in the manner sought, the requester should be notified in writing of the reasons for the denial.

(b) The decision letter should also include the requester's right to appeal the denial and the procedures for appealing the denial to the appropriate official.

§ 297.306 Appeal of a denial of a request to amend a record.

(a) An individual who disagrees with an initial denial to amend a record may file a written appeal of that denial to the appropriate official. In submitting an appeal, the individual should provide a copy of the original request for amendment, a copy of the initial denial decision, and a statement of the specific reasons why the initial denial is believed to be in error. Any appeal should be submitted to the official designated in the initial decision letter. The appeal should include the words "PRIVACY ACT APPEAL" in capital letters on the envelope and at the top of the letter of appeal.

(b) The reviewing official should complete the review and make a final determination in writing no later than 30 working days from the date on which the appeal is received. When circumstances warrant, this timeframe may be extended.

(c) If the Office grants the appeal, it will take the necessary steps either to amend the record itself or to require the originating agency to amend the record. When appropriate and possible, prior recipients of the record should be notified of the Office's action.

(d) The Office reserves the right to hold in abeyance any Privacy Act appeal concerning a record when an individual is involved in challenging an action involving that record in another administrative, judicial, or quasi-judicial forum. At the conclusion of such a challenge, the individual can resubmit the appeal.

(e) If the Office denies the appeal, it will include in the decision letter notification of the appellant's right to judicial review.

§ 297.307 Statement of disagreement.

(a) Upon receipt of a final administrative determination denying a request to amend a record, the requester may file a concise statement of disagreement. Such a statement should be filed with the appropriate system manager and should include the reasons why the requester believes the decision to be incorrect.

(b) The statement of disagreement should be maintained with the record to be amended and any disclosure of the record must include a copy of the statement of disagreement.

(c) When practicable and appropriate, the system manager should provide a copy of the statement of disagreement to any individual or agency to whom the record was previously disclosed as noted by the disclosure accounting.

§ 297.308 Judicial review.

Upon receipt of notification that the denial to amend a record has been upheld on administrative review, the requester has the right to judicial review of the decision for up to 2 years from the date the cause of action arose. Judicial review may be sought in the district court of the United States in the district in which—

(a) The requester resides;

(b) The requester has his or her principal place of business; or

(c) The agency records are situated; or it may be sought in the district court of the District of Columbia.

Subpart D—Disclosure of Records

§ 297.401 Conditions of disclosure.

An official or employee of the Office or agency should not disclose a record retrieved from a Governmentwide system of records to any person, another agency, or other entity without the express written consent of the subject individual unless disclosure is—

(a) To officers or employees of the Office who have a need for the information in the performance of their duties.

(b) Required by the provisions of the Freedom of Information Act.

(c) For a routine use as published in the **Federal Register**.

(d) To the Bureau of the Census for uses pursuant to Title 13 of the United States Code.

(e)(1) To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record. The record will be transferred in a form that is not individually identifiable. The written statement should include as a minimum:

(i) A statement of the purpose for requesting the records; and

(ii) Certification that the records will be used only for statistical purposes.

(2) These written statements should be maintained as records. In addition to deleting personal identifying information from records released for statistical purposes, the system manager will reasonably ensure that the identity of the individual cannot be deduced by combining various statistical records.

(f) To the National Archives of the United States as a record that has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Archivist of the United States or his or her designee to determine whether the record has such value.

(g) To another agency or instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality or his designated representative has made a written request to the Office or agency that maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought.

(h) To a person showing compelling circumstances affecting the health and safety of an individual, not necessarily the individual to whom the record pertains. Upon such disclosure, a notification should be sent to the last known address of the subject individual.

(i) To the Congress or to a Congressional committee, subcommittee, or joint committee to the extent that the subject matter falls within its established jurisdiction.

(j) To the Comptroller General or any authorized representatives of the Comptroller General in the course of the performance of the duties of the General Accounting Office.

(k) Pursuant to the order of a court of competent jurisdiction.

(l) To a consumer reporting agency in accordance with section 3711 (f) of Title 31 of the United States Code.

§ 297.402 Disclosure pursuant to a compulsory legal process served on the Office.

(a) The Office may disclose, without prior consent of the data subject, specified information from a system of records whenever such disclosure is pursuant to an order signed by the appropriate official of a court of competent jurisdiction or quasi-judicial agency. In this subpart, a court of competent jurisdiction includes the judicial system of a state, territory, or possession of the United States.

(b) Notice of the order will be provided to the data subject by the Office as soon as practicable after service of the order. The notice should be mailed to the last known address of the individual and state the name and number of the case or proceeding, and the nature of the information sought.

(c) Before complying or refusing to comply with the order, an official with authority to disclose records under this subpart should consult legal counsel to ensure that the response is appropriate.

§ 297.403 Disclosure pursuant to a subpoena served on the Office.

(a) The Office may disclose, without prior consent of the individual, specified information from a system of records whenever such disclosure is pursuant to a subpoena signed by the appropriate official and issued in connection with a judicial or administrative proceeding.

(b) Before responding to a subpoena, an official with authority to disclose records under this part, should consult, as appropriate, with legal counsel to ensure that—

(1) The requested materials are relevant to the subject matter of the related judicial or administrative proceeding;

(2) Motion is made to quash or modify a subpoena that is unreasonable or oppressive;

(3) Motion is made for a protective order when necessary to restrict the use or disclosure of any information furnished for purposes other than those of the involved proceeding; or

(4) Request is made for an extension of the time allowed for response, if necessary.

(c) If a subpoena for production of documents also requests appearance of an Office employee, the response should be to furnish certified copies of the appropriate records.

(d) If oral testimony is requested by the subpoena, an explanation, which sets forth the testimony desired, must be furnished to the Office system manager. The individual who has been subpoenaed to testify should consult with legal counsel to determine the matters about which the individual may properly testify.

(e) In all situations concerning a subpoena or other demand for an employee of the Office to produce any material or testimony concerning the records that are subject to the subpoena, that are contained in the Office's systems of records, and that are acquired as part of the employee's official duties, the employee should not provide the information without prior approval of the appropriate Office official.

(f) If it is determined that the information should not be provided, the individual subpoenaed should respectfully decline to comply with the demand based on the instructions from the appropriate Office official.

(g) When the records for an individual residing in an Office system of records are subpoenaed, the disclosing Office official should notify the individual whose records are sought of the subpoena's issuance. Notice should be mailed to the last known address of the individual and contain the following information: the date the subpoena is returnable; the name and number of the case or proceeding; and the nature of the record sought. Such notice should be accomplished within 10 working days after receipt of the subpoena or as soon as practicable. Notice of the issuance of an ex parte order or subpoena is not required if the system of records has been exempted from the notice requirement of 5 U.S.C. 552a(e)(8) pursuant to 5 U.S.C. 552a(j) by a Notice of Exemption published in the **Federal Register**.

§ 297.404 Accounting of disclosure.

(a) The Office or agency will maintain a record of disclosures in cases where records about the individual are disclosed from an Office system of records except—

(1) When the disclosure is made pursuant to the Freedom of Information Act, as amended (5 U.S.C. 552); or

(2) When the disclosure is made to those officers and employees of the Office or agency who have a need for

the record in the performance of their duties.

(b) This accounting of the disclosures will be retained for at least 5 years or for the life of the record, whichever is longer, and will contain the following information:

(1) A brief description of the record disclosed;

(2) The date, nature, and purpose for the disclosure; and

(3) The name and address of the purpose, agency, or other entity to whom the disclosure is made.

(c) Except for the accounting of disclosure made to agencies, individuals, or entities in law enforcement activities or disclosures made from the Office's exempt systems of records, the accounting of disclosures will be made available to the data subject upon request in accordance with the access procedures of this part.

Subpart E—Exempt Records

§ 297.501 Exemptions.

(a) Several of the Office's internal, central, and Governmentwide systems of records contain information for which exemptions appearing at 5 U.S.C. 552a(k) (1), (2), (3), (5), and (6) may be claimed. The systems of records for which the exemptions are claimed, the specific exemptions determined to be necessary and proper with respect to these systems of records, the records exempted, the provisions of the act from which they are exempted, and the justifications for the exemptions are set forth below.

(b) *Specific exemptions*— (1) *Inspector General Investigations Case File Records (OPM/CENTRAL–4).* All information in these records that meets the criteria stated in 5 U.S.C. 552a(k) (1), (2), (3), (4), (5), (6), and (7) is exempt from the requirements of 5 U.S.C. 552a(c)(3) and (d). These provisions of the Privacy Act relate to making accountings of disclosures available to the data subject and access to and amendment of records. The specific applicability of the exemptions to this system and the reasons for the exemptions are as follows:

(i) Inspector General investigations may contain properly classified information that pertains to national defense and foreign policy obtained from other systems or another Federal agency. Application of exemption (k)(1) may be necessary to preclude the data subject's access to and amendment of such classified information under 5 U.S.C. 552a(d).

(ii) Inspector General investigations may contain investigatory material compiled for law enforcement purposes other than material within the scope of 5 U.S.C. 552a(j)(2); e.g., investigations into the administration of the merit system. Application of exemption (k)(2) may be necessary to preclude the data subject's access to or amendment of such records under 5 U.S.C. 552(a)(3) and (d).

(iii) Inspector General investigations may contain information obtained from another system or Federal agency that relates to providing protective services to the President of the United States or other individuals pursuant to 18 U.S.C. 3056. Application of exemption (k)(3) may be necessary to preclude the data subject's access to and amendment of such records under 5 U.S.C. 552a(d).

(iv) Inspector General case files may contain information that, by statute, is required to be maintained and used solely as a statistical record. Application of exemption (k)(4) may be necessary to ensure compliance with such a statutory mandate.

(v) All information about individuals in these records that meets the criteria stated in 5 U.S.C. 552a(k)(5) is exempt from the requirements of 5 U.S.C. 552a(c)(3) and (d). This exemption is claimed because this system contains investigatory material that if disclosed may reveal the identity of a source who furnished information to the Government under an express promise that the source's identity would be held in confidence or, prior to September 27, 1975, under an implied promise. The application of exemption (k)(5) will be required to honor promises of confidentiality should the data subject request access to or amendment of the records, or access to the accounting of disclosures of the record.

(vi) All information in these records that meets the criteria stated in 5 U.S.C. 552a(k)(6) is exempt from the requirements of 5 U.S.C. 552a(d) relating to access to and amendment of records by the data subject. This exemption is claimed because portions of a case file record may relate to testing and examining material used solely to determine individual qualifications for appointment or promotion in the Federal service. Access to or amendment of this information by the data subject would compromise the objectivity and fairness of the testing or examining process.

(vii) Inspector General case files may contain evaluation material used to determine potential for promotion in the armed services. Application of exemption (k)(7) may be necessary, but only to the extent that the disclosure of the data would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence.

(2) *Administrative Law Judge Applicant Records (OPM/CENTRAL–6).* (i) All information about individuals in these records that meets the criteria stated in 5 U.S.C. 552a(k)(5) is exempt from the requirement of 5 U.S.C. 552(c)(3) and (d). The exemptions are claimed because this system contains investigatory material compiled solely for determining suitability, eligibility, and qualifications for Federal civilian employment. To the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence, the application of exemption (k)(5) will be required to honor promises of confidentialty should the data subject request access to the accounting of disclosures of the record, or access to or amendment of the record.

(ii) All information in these records that meets the criteria stated in 5 U.S.C. 552a(k)(6) is exempt from the requirements of 5 U.S.C. 552a(d), relating to access to and amendment of the records by the data subject. This exemption is claimed because portions of this system relate to testing and examining materials used solely to determine individual qualifications for appointment or promotion in the Federal service. Access to or amendment of this information by the data subject would compromise the objectivity and fairness of the testing or examing process.

(3) *Litigation and Claims Records (OPM/CENTRAL–7).* (i) When litigation or claim cases occur, information from other existing systems of records may be incorporated into the case file. This information may be material for which exemptions have been claimed by the Office in this section. To the extent that such exempt material is incorporated into a litigation or claim case file, the appropriate exemption (5 U.S.C. 552a(k)(1), (2), (3), (4), (5), (6), or (7)) shall also apply to the material as it appears in this system. The exemptions will be only from those provisions of the Act that were claimed for the systems from which the records originated.

(ii) During the course of litigation or claims cases, it may be necessary to conduct investigations to develop information and evidence relevant to the case. These investigative records may include material meeting the criteria stated in 5 U.S.C. 552a(k)(1), (2), (3), (4), (5), (6), and (7). Such material is exempt from the requirement of 5 U.S.C. 552a(c)(3) and (d). These provisions of the Act relate to making accounting of disclosures available to the data subject and access to and amendment of records. The specific applicability of the exemptions to this system and the reasons for the exemptions are:

(A) Such investigations may contain properly classified information that pertains to national defense and foreign policy obtained from another Federal agency. Application of exemption (k)(1) may be necessary to preclude the data subject's access to and amendment of suh classified information under 5 U.S.C 552a(d).

(B) Such investigations may contain investigatory material compiled for law enforcement purposes othe than material within the scope of 5 U.S.C. 552a(j)(2), e.g., administration of the merit system, obtained from another Federal agency. All information about individuals in these records that meets the criteria of 5 U.S.C 552a(k)(2) is exempt from the requirements of 5 U.S.C. 552a(c)(3) and (d). Application of exemption (k)(2) may be necessary to preclude the data subject's access to or amendment of those records.

(C) Such investigations may contain information obtained from another agency that relates to providing protective services to the President of the United States or other individuals pursuant to 18 U.S.C. 3056. All information about individuals in these records that meets the criteria of 5 U.S.C. 552a(k)(3) is exempt from the requirements of 5 U.S.C. 552a(d), relating to access to or amendment of records by the data subject. Application of exemption (k)(3) may be necessary to preclude the data subject's access to and amendment of such records.

(D) Such investigations may contain information that, by statute, is required to be maintained and used solely as a statistical record. Application of exemption (k)(4) may be necessary to ensure compliance with such a statutory mandate.

(E) All information about individuals in these records that meets the criteria stated in 5 U.S.C. 552a(k)(5) is exempt from the requirements of 5 U.S.C. 552a (c)(3) and (d). These exemptions are claimed because this system contains investigatory material compiled solely for determining suitability, eligibility, and qualifications for Federal civilian employment. To the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence, the application of exemption (k)(5) will be required to honor such a promise should the data subject request access to the accounting of disclosure, or access to or amendment of the record, that would reveal the identity of a confidential source.

(F) All information in these records that meets the criteria stated in 5 U.S.C. 552a(k)(6) is exempt from the requirements of 5 U.S.C. 552a(d), relating to access to and amendment of the records by the data subject. This exemption is claimed because portions of this system relate to testing or examining materials used solely to determine individual qualifications for appointment or promotion in the Federal service. Access to or amendment by the data subject of this information would compromise the objectivity and fairness of the testing or examining process.

(G) Such investigations may contain evaluation material used to determine potential for promotion in the armed services. Application of exemption (k)(7) may be necessary, but only to the extent that the disclosure of the data would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence.

(4) *Privacy Act/Freedom of Information Case Records (OPM/CENTRAL–8).* In this subpart, the Office has claimed exemptions for its other systems of records where it felt such exemptions are appropriate and necessary. These exemptions are claimed under 5 U.S.C. 552a(k) (1), (2), (3), (4), (5), (6) and (7). During the processing of a Privacy Act/Freedom of Information Act request (which may include access requests, amendment requests, and requests for review for initial denials of such requests) exempt materials from those other systems may in turn become part of the case record in this system. To the extent that copies of exempt records from those other systems are entered into this system, the Office hereby claims the same exemptions for the records from those other systems that are entered into this system, as claimed for the original primary system of which they are a part.

(5) *Personnel Investigations Records (OPM/CENTRAL–9).* All information in these records that meets the criteria stated in 5 U.S.C. 552a(k) (1), (2), (3), (4), (5), (6), and (7) is exempt from the requirements of 5 U.S.C. 552a (c)(3) and (d). These provisions of the Privacy Act relate to making accountings of disclosures available to the data subject and access to and amendment of records. The specific applicability of the exemptions to this system and the reasons for the exemptions are as follows:

(i) Personnel investigations may contain properly classified information which pertains to national defense and foreign policy obtained from another Federal agency. Application of exemption (k)(1) may be necessary to preclude the data subject's access to and amendment of such classified information under 5 U.S.C. 552a(d).

(ii) Personnel investigations may contain investigatory material compiled for law enforcement purposes other than material within the scope of 5 U.S.C. 552a(j)(2); e.g., investigations into the administration of the merit system. Application of exemption (k)(2) may be necessary to preclude the data subject's access to or amended of such records under 5 U.S.C. 552a (c)(3) and (d).

(iii) Personnel investigations may contain information obtained from another Federal agency that relates to providing protective services to the President of the United States or other individuals pursuant to 18 U.S.C. 3056. Application of exemption (k)(3) may be necessary to preclude the data subject's access to and amendment of such records under 5 U.S.C. 552a(d).

(iv) Personnel investigations may contain information that, by statute, is required to be maintained and used solely as a statistical record. Application of exemption (k)(4) may be necessary to ensure compliance with such a statutory mandate.

(v) All information about individuals in these records that meets the criteria stated in 5 U.S.C. 552a(k)(5) is exempt from the requirements of 5 U.S.C. 552a (c)(3) and (d). These exemptions are claimed because this system contains investigatory material compiled solely for determining suitability, eligibility, and qualifications for Federal civilian employment. To the extent that the disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence, the applicability of exemption (k)(5) will be required to honor promises of confidentiality should the data subject request access to or amendment of the record, or access to the accounting of disclosures of the record.

(vi) All information in these records that meets the criteria stated in 5 U.S.C. 552a(k)(6) is exempt from the requirements of 5 U.S.C. 552a(d), relating to access to and amendment of records by the data subject. This exemption is claimed because portions of this system relate to testing or examining materials used solely to determine individual qualifications for appointment or promotion in the Federal service. Access to or amendment of this information by the data subject would compromise the objectivity and fairness of the testing or examining process.

(vii) Personnel Investigations may contain evaluation material used to determine potential for promotion in the armed services. Application of exemption (k)(7) may be necessary, but only to the extent that the disclosure of the data would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence.

(6) *Presidential Management Intern Program Records (OPM/CENTRAL–11).* All information in these records that meets the criteria stated in 5 U.S.C. 552a(k)(6) is exempt from the requirements of 5 U.S.C. 552a(d), relating to access to and amendment of records by the data subject. This exemption is claimed because portions of this system relate to testing or examining materials used solely to determine individual qualifications for appointment or promotion in the Federal service and access to or amendment of this information by the data subject would compromise the objectivity and fairness of the testing or examining process.

(7) *Recruiting, Examining, and Placement Records (OPM/GOVT–5).* (i) All information about individuals in these records that meets the criteria stated in 5 U.S.C. 552a(k)(5) is exempt from the requirements of 5 U.S.C. 552a(c)(3) and (d). These provisions of the Privacy Act relate to making accountings of disclosures available to the data subject and access to and amendment of records. These exemptions are claimed because this system contains investigative material compiled solely for determining the appropriateness of a request for approval of an objection to an eligible's qualification for employment in the Federal service. To the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence, the application of exemption (k)(5) will be required to honor promises of confidentiality should the data subject request access to the accounting of disclosures of the record, or access to or amendment of the record.

(ii) All information in these records that meets the criteria stated in 5 U.S.C. 552a(K)(6) is exempt from the requirements of 5 U.S.C. 552a(d), relating to access to an amendment of records by the subject. This exemption is claimed because portions of this system relate to testing or examining materials used solely to determine individual qualifications for appointment or promotion in the Federal service and access to or amendment of this information by the data subject would compromise the objectivity and fairness of the testing or examining process.

(8) *Personnel Research Test Validation Records (OPM/GOVT–6).* All information in these records that meets the criteria stated in 5 U.S.C. 552a(k)(6) is exempt from the requirements of 5 U.S.C. 552a(d), relating to access to and amendment of the records by the data subject. This exemption is claimed because portions of this system relate to testing or examining materials used solely to determine individual qualifications for appointment or promotion in the Federal service. Access to or amendment of this information by the data subject would compromise the objectivity and fairness of the testing or examining process.

(c) The Office also reserves the right to assert exemptions for records received from another agency that could be properly claimed by that agency in responding to a request. The Office may refuse access to information compiled in reasonable anticipation of a civil action or proceeding.

POSTAL RATE COMMISSION

TABLE OF CONTENTS

PRC-1 Official Personnel Files.

PRC-1

System name: Official Personnel Files—PRC

System location: 2000 L St., NW, Washington, D.C. 20268

Categories of individuals covered by the system: Personnel of the Postal Rate Commission.

Categories of records in the system: Personnel information, including information supplied on applications, references, records of employment, health records, payroll records, financial reporting records, and information required for affirmative action plans for employment and minorities and handicapped.

Authority for maintenance of the system: 39 U.S.C. 3603, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information from this record system is transferred to the U.S. Postal Service to process payroll and to the Civil Service Commission in compliance with financial reporting requirements. Information on the health of Commission employees is maintained by the Public Health Service in connection with its services as the health unit for the Commission. Information on security is developed by submission of appropriate forms with the Civil Service Commission. Other such housekeeping measures may require frequent inter-agency transfers of information.

In the event that information in this record system indicates a violation or potential of law, whether civil, criminal or regulatory in natue, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing implementing the statute, or rule, regulation or order issued pursuant thereto.

Routine Use for Disclosure to the Department of Justice for Use in Litigation:

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a) The Commission; or

(b) Any employee of the Commission in his or her official capacity; or

(c) Any employee of the Commission in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the Commission determine that litigation is likely to affect the Commission, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the Commission to be relevant and necessary to the litigation, provided, however, that in each case, the Commission determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Routine Use for Agency Disclosure in Litigation:

It shall be a routine use of records maintained by the Commission to disclose them in a proceeding before a court or adjudicative body before which the Commission is authorized to appear, when

(a) The Commission; or

(b) Any employee of the Commission in his or her official capacity; or

(c) Any employee of the Commission in his or her individual capacity where the Commission has agreed to represent the employee; or

(d) The United States, where the Commission determines that litigation is likely to affect the Commission, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the Commission determines that disclosure of the records in the court or other proceeding is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Information in this record system may be disclosed as a routine use to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information, or other pertinent information, such as current licenses, if necessary to obtain information relevant to a Commission decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record system may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy for official personnel folders and financial statements, mag-tape for payroll records.

Retrievability: Official personnel folders and financial statements by name of employee, payroll by Social Security number of employee.

Safeguards: Approved combination safe for record storage.

Retention and disposal: Official personnel records are maintained by the Commission for the duration of a person's employment with the Commission, follow the employee to new federal jobs, or are retired to the Federal Record Center upon termination of government employment. Financial reports are maintained for a period of four years after termination of the individual's employment with the Committee.

System manager(s) and address: Chief Administrative Officer, 2000 L St., NW, Washington, D.C. 20268.

Notification procedure: Assistant Administrative Officer, 2000 L St., NW, Washington, D.C. 20268.

Supply name, date of birth, facsimile of an identifying document such as a driver's license or employee identification card, last agency employing with dates, and a return address.

Record access procedures: Write or call Assistant Administrative Officer, 2000 L St., NW, Washington, D.C. 20268, telephone (202) 254-3881.

Contesting record procedures: Write or call Assistant Administrative Officer, 2000 L St. NW, Washington, D.C. 20268, telephone (202) 254-3881.

Record source categories: Applications for employment as submitted by the applicants; data supplied by employees in connection with their employment; records from other agencies in which employees worked; replies from references; responses to security investigations; supervisors' performance evaluations; grades from courses taken under Commission sponsorship; medical records.

Title 39-Postal Service

Chapter III-Postal Rate Commission

PART 3003—PRIVACY ACT RULES

Sec.
3003.1 Purpose and scope.
3003.2 Definitions.
3003.3 Procedures for requests pertaining to individual records in a record system.
3003.4 Times, places and requirements for identification of individuals making requests.
3003.5 Disclosure of requested information to individuals.
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3003.7 Request for correction or amendment to record.
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3003.9 Appeal of initial adverse agency determination on correction or amendment.
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3003.12–3003.13 [Reserved]
3003.14 Specific exemptions.

Authority: Privacy Act of 1974 (Pub. L. 93–579).

Source: 40 FR 38154, Aug. 27, 1975, unless otherwise noted.

§ 3003.1 Purpose and scope.

This part is published in compliance with the Privacy Act of 1974 (Pub. L. 93–579). It establishes procedures, consistent with the purposes of the Act, by which individuals may safeguard their privacy by obtaining access to, and requesting amendments or corrections in, information about them which is under the Commission's control.

§ 3003.2 Definitions.

For purposes of this part:

(a) "Commission" means The Postal Rate Commission.

(b) "Act" means the Privacy Act of 1974 (Pub. L. 93–579).

(c) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence.

(d) "Maintain", used with reference to a record means to collect, to use, to disseminate, to have control over and responsibility for such record.

(e) "Record" means any item, collection or grouping of information about an individual that is maintained by the Commission and that is retrievable by his or her name or an identifying particular, such as a number, symbol, fingerprint, or photograph, of the individual. Information maintained by the Commission includes but is not limited to, education, financial transactions, medical history, employment history and criminal history.

(f) "Routine use" means, with respect to the disclosure of a record, the use of such a record for a purpose which is compatible with the purpose for which it was collected. The routine uses of record systems maintained by the Commission were established pursuant to notice in the **Federal Register**.

(g) "System of records" means a group of any records under the control of the Commission from which information about an individual is retrievable by his or her name or by some identifying particular.

§ 3003.3 Procedures for requests pertaining to individual records in a record system.

(a) (1) An individual who wishes to know whether a system of records maintained by the Commission contains a record or records pertaining to him or her shall file a written inquiry to this effect with the Chief Administrative Officer of the Commission at the Commission's business address. The request shall clearly state on the outside of the envelope and in the body that it is a Privacy Act request.

(2) The Chief Administrative Officer shall respond within 10 days of receipt of such an inquiry (exclusive of Saturdays, Sundays, and legal holidays) informing the individual whether a system of records maintained by the Commission contains such a record or records.

(b) After an accounting of disclosures has been kept, an individual may request an accounting of disclosures of his or her record or records made within the immediately preceding year, except for those made:

(1) To those officers and employees of the Commission who have a need for the record in the performance of their duties;

(2) Required under the Freedom of Information Act (5 U.S.C. 552);

(3) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the Commission specifying the particular portion desired and the law enforcement activity for which the record is sought.

Such a request shall be addressed in writing to the Chief Administrative Officer.

(c)(1) An individual who desires to gain access to any record pertaining to him or her contained in a system of records maintained by the Commission shall file a written request with the Chief Administrative Officer at the Commission's business address.

(2) The written request shall state whether the individual intends to appear in person at the Commission's offices or whether he desires to receive a copy of the record or records pertaining to him or her through the mails.

§ 3003.4 Times, places and requirements for identification of individuals making requests.

(a) An individual appearing in person pursuant to paragraph (c) of § 3003.3, shall:

(1) Appear at the Commission's business offices between the hours of 8 a.m. and 4:30 p.m. on any day except Saturdays, Sundays, and legal holidays;

(2) Present suitable identification, such as a driver's license, employee identification card, or Medicare card;

(3) If accompanied by another individual of his or her choosing, provide a written statement authorizing discussion of his or her record in the presence of the accompanying individual.

(b) An individual who files a request through the mails pursuant to paragraph (c) of § 3003.3 shall include his or her date of birth and other suitable proof of identity, such as a facsimile of a driver's license, employee identification card, Medicare card.

[40 FR 38154, Aug. 27, 1975, as amended at 41 FR 52455, Nov. 30, 1976]

§ 3003.5 Disclosure of requested information to individuals.

An individual who has filed a request in accordance with § 3003.4 shall be permitted to review the record or records pertaining to him or her and to have all or any portion thereof copied. Review of Commission records pursuant to § 3003.4(a) will be conducted in the presence of a representative of the Commission.

§ 3003.6 Special procedures: Medical records.

An individual who requests access to records containing medical information about himself or herself shall provide the Chief Administrative Officer with the name of a licensed medical practitioner. If in the Chief Administrative Officer's judgment transmission of the medical information to the individual could have an adverse effect upon him or her, the information will be transmitted directly to the named medical practitioner.

§ 3003.7 Request for correction or amendment to record.

(a) An individual may request that a record or records pertaining to him or her be amended or corrected. Such requests shall be submitted in writing to the Chief Administrative Officer at the Commission's business address.

(b) An individual requesting amendment of a record or records pertaining to him or her shall furnish suitable identification, as provided in § 3003.4(a)(2) and (b).

(c) A request for amendment shall contain an exact description of the item or items sought to be amended and specific reasons for the requested amendment.

§ 3003.8 Agency review of request for correction or amendment of record.

(a) Within 10 days (excluding Saturdays, Sundays, and legal holidays) after receipt of a request to amend a record, the Chief Administrative Officer shall transmit to the requester a written acknowledgment of receipt of the request. Such an acknowledgment may, if necessary, request any additional information needed to make a determination on the request. No acknowledgment is required if the request can be reviewed, processed, and the individual notified of compliance or denial within the ten-day period.

(b) The Chief Administrative Officer shall promptly review the record upon receipt of a request for amendment thereof.

(c) If the Chief Administrative Officer determines that the requested amendment is appropriate to insure that the record is:

(1) Relevant and necessary to accomplish the purposes of chapter 36 of title 39, United States Code; and

(2) As accurate, timely and complete as is reasonably necessary to assure fairness to the requester, the Chief Administrative Officer shall:

(i) Change the record accordingly;

(ii) Advise the requester that the change has been made and transmit a copy of the revision to him or her; and

(iii) After an accounting of disclosures has been kept pursuant to 5 U.S.C. 552a(c), advise all previous recipients of the record of the fact that the amendment was made and the substance of the amendment.

(d) If, after review of the record, the Chief Administrative Officer determines that the requested amendment is not in conformity with the requirements of the Act, he shall:

(1) Advise the requester in writing of such determination, together with the specific reasons therefor; and

(2) Inform the requester that further review of the request by the Chairman of the Commission is available if a written request therefor is made.

§ 3003.9 Appeal of initial adverse agency determination on correction or amendment.

(a) Within 30 days (excluding Saturdays, Sundays, and legal holidays) of receipt of a written request for review pursuant to § 3003.8(d)(2), the Chairman shall make an independent review of the record, using the criteria of § 3003.8(c)(1) and (2). If the Chairman determines that the record should be amended in accordance with the request, the Chief Administrative Officer shall:

(1) Change the record accordingly;

(2) Advise the requester that the change has been made; and

(3) After an accounting of disclosures has been kept pursuant to 5 U.S.C. 552a(c), advise all previous recipients of the record of the fact that the amendment was made and the substance of the amendment.

(b) If the Chairman, after independent review, determines that the record should not be amended in accordance with the request, the Chief Administrative Officer shall advise the requester:

(1) Of the determination and the reasons therefor;

(2) Of his or her right to file with the Chief Administrative Officer a concise statement of his or her reasons for disagreeing with the refusal to amend the record;

(3) That the record will be annotated to indicate to anyone subsequently having access to it that a statement of disagreement has been filed, and that the statement will be made available to anyone to whom the record is disclosed;

(4) That the Chairman and the Chief Administrative Officer may, in their discretion, include a brief summary of their reasons for refusing to amend the record whenever such disclosure is made;

(5) That any prior recipients of the disputed record will be sent a copy of the statement of disagreement, after an accounting of disclosures has been kept pursuant to 5 U.S.C. 552a(c);

(6) Of his or her right to seek judicial review of the refusal to amend the record, pursuant to 5 U.S.C. 552a(g)(1)(A).

§ 3003.10 Disclosure of record to person other than the individual to whom it pertains.

Commission employees or officers who have possession of or access to individuals' records may be subject to criminal penalties pursuant to 5 U.S.C. 552a(i)(1) for disclosure thereof without the prior written consent of the individuals to whom the records pertain unless disclosure is:

(a) To those officers and employees of the Commission who have a need for the record in the performance of their duties;

(b) Required under the Freedom of Information Act (5 U.S.C. 552);

(c) For a routine use as defined in § 3003.2(f);

(d) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13;

(e) To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(f) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(g) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency which maintains the record has made a written request to the Commission specifying the particular portion desired and the law enforcement activity for which the record is sought;

(h) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

(i) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(j) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(k) Pursuant to the order of a court of competent jurisdiction.

§ 3003.11 Fees.

There shall be no charge for the first copy of any records furnished pursuant to §§ 3003.5 and 3003.6. Additional copies will be charged at the cost of reproduction.

§§ 3003.12—3003.13 [Reserved]

§ 3003.14 Specific exemptions.

The Postal Rate Commission has not established any system of records to be exempted from the provisions of

§§ 3003.3, 3003.4, 3003.5, 3003.6, 3003.7, 3003.8, 3003.9, and 3003.11.

[41 FR 52455, Nov. 30, 1976]

POSTAL SERVICE

PREFATORY STATEMENT OF ROUTINE USES

A. for Law Enforcement Purposes

When the Postal Service becomes aware of an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by generaL statute or particular program statute, or by regulation, rule or order issued pursuant thereto, or in response to the appropriate agency's request upon a reasonable belief that a violation has occurred, the relevant records may be referred to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

B. Disclosure Incident to Litigation

Records from this system may be disclosed to the Department of Justice or to other counsel representing the Postal Service, or may be disclosed in a proceeding before a court or adjudicative body before which the Postal Service is authorized to appear, when (a) the Postal Service; or (b) any postal employee in his or her official capacity; or (c) any postal employee in his or her individual capacity whom the Department of Justice has agreed to represent; or (d) the United States when it is determined that the Postal Service is likely to be affected by the litigation, is a party to litigation or has an interest in such litigation, and such records are determined by the Postal Service or its counsel to be arguably relevant to the litigation, provided, however, that in each case, the Postal Service determines that disclosure of the records is a use of the information that is compatible with the purpose for which it was collected.

This routine use specifically contemplates that information may be released in response to relevant discovery and that any manner of response allowed by the rules of the forum may be employed.

C. Disclosure Incident to Requesting Information

Records may be disclosed to a Federal, State or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, when necessary to obtain information from such agency that is relevant to a Postal Service decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, permit, or other benefit.

D. Disclosure to Requesting Agency

Records may be disclosed to a Federal, State, local or foreign agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conduct of a security or suitability investigation of an individual, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

E. Congressional Inquiries

Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the prompting of that individual.

F. Disclosure to Agents and Contractors

Records or information from this system may be disclosed to an expert, consultant, or other person who is under contract to the Postal Service to fulfill an agency function, but only to the extent necessary to fulfill that function. This may include disclosure to any person with whom the Postal Service contracts to reproduce, by typing, photocopy or other means, any record for use by Postal Service officials in connection with their official duties or to any person who performs clerical or stenographic functions relating to the official business of the Postal Service.

G. Storage

Inactive records may be transferred to a Federal Records Center for storage prior to destruction.

H. Disclosure to Office of Management and Budget

Records from this system may be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

J. Disclosure to Outside Auditors

Records in this system may be subject to review by an independent certified public accountant during an official audit of Postal Service finances.

K. Disclosure to Equal Employment Opportunity Commission

Records from this system may be disclosed to an authorized investigator, administrative judge, or complaints examiner appointed by the Equal Employment Opportunity Commission, when requested in connection with the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR part 1613.

L. Disclosure to Merit Systems Protection Board or Office of the Special Counsel

Records from this system may be disclosed to the Merit Systems Protection Board or Office of the Special Counsel for the purpose of litigation, including administrative proceedings, appeals, special studies, investigations of alleged or possible prohibited personnel practices, and such other functions as may be authorized by law.

M. Disclosure to Labor Organizations

Pursuant to the National Labor Relations Act, records from this system may be furnished to a labor organization upon its request when needed by that organization to perform properly its duties as the collective bargaining representative of postal employees in an appropriate bargaining unit.

USPS 010.010

System name:

Collection and Delivery Records—Address Change and Mail Forwarding Records, 010.010.

System location:

Post Offices and contractor/licensee sites.

Categories of individuals covered by the system:

Postal customers requesting mail forwarding services from their local postal facilities and any postal customers who are victims of a disaster who have requested mail forwarding services through the Red Cross.

Categories of records in the system:

Records contain customer name, old address, new mailing address, mail forwarding instructions, effective date, information as to whether the move is permanent or temporary and the customer's signature.

Authority for maintenance of the system:

39 U.S.C. 403, 404.

Purpose(s):

(1) To provide mail forwarding services to postal customers who have changed address;

(2) To provide address correction services to postal customers; and

(3) To provide address information to the Red Cross about a postal customer who has been relocated because of a disaster.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records within the system reflect a customer's temporary or permanent change of address. General routine use statements A, B, C, D, E, F, G, H, J, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices and routine use Nos. 4 and 5 below apply to all change of address (both temporary and permanent) information within this system. The remaining routine uses below are specific to either permanent or temporary change of address information, as stated.

1. The new address of any specific customer who has filed a permanent Change of Address (PS Form 3575 or handwritten order) may be furnished to any person upon request. Except for disclosures made pursuant to a general routine use or routine uses 3, 4, and 5 below, disclosure will be limited to the address of the specifically identified individual about whom the information is requested (i.e., not other individuals or family members whose names may also appear on the change of address order) and copies of the form will not be furnished.

2. Disclosure of a customer's new permanent address may be made from the National Change of Address file to customers seeking corrected addresses for their mailing lists.

3. Permanent change of address information may be disclosed to duly constituted election boards or registration commissions using permanent registration. Copies of change of address orders may be furnished.

4. Permanent or temporary change of address information may be disclosed to a federal, state, or local government agency upon prior written certification that the information is required for the performance of its duties. A copy of the change of address order may be furnished.

5. Permanent or temporary change of address information may be disclosed to a law enforcement agency, for oral requests made through the Inspection Service, but only after the Inspection Service has confirmed that the information is needed in the course of a criminal investigation. A copy of the change of address order may be furnished.

6. Temporary change of address information may be disclosed to a person empowered by law to serve legal process, or the attorney for a party in whose behalf service will be made, or a party who is

acting pro se, upon receipt of written information that meets prescribed certification requirements. A copy of the change of address order will not be furnished.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

This source document is stored in filing cabinets at the delivery unit. They are filed alphabetically by name within month or quarter. Records generated from the source document are stored on cards or list forms or recorded on magnetic tape and/or disk where central markup is computerized. These records are filed alphabetically by name and route number or zone. Records are also consolidated in a National Change of Address File on magnetic tape maintained by firms under contract or license agreement with the Postal Service.

Retrievability:

By Name and address (paper records). By name and address within ZIP Code (computerized records).

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Contractor/licensee Privacy Act protections are subject to impromptu on-site audits and inspection by the Postal Inspection Service.

Retention and disposal:

a. Source document is retained for 18 months from effective date and then destroyed by shredding or burning.

b. Information on magnetic tape and/or disk at Computerized Forwarding System sites is retained for 18 months from effective date. At the end of that period, the tapes/disks are erased.

c. Information on magnetic tape at the Address Information Center (National Change of Address File) is retained for 36 months from effective date.

System manager(s) and address:

APMG, Delivery, Distribution & Transportation Department, Headquarters, Washington, DC 20260–7100 (paper records); APMG, Operations Systems and Performance Department, Headquarters, Washington, DC 20260–7200 (computerized records).

Notification procedure:

Customers wishing to know whether information about them is maintained in this system of records should address inquiries to their local postmaster. Inquiries should contain full name and address, effective date of change order, route number (if known) and ZIP Code. Customers wishing to know whether information about them is also maintained in the National Change of Address File should address such inquiries to Manager, NCOA, Address Information Systems Division, U.S. Postal Service, 6060 Primacy Parkway, Memphis, TN 38188–0001.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

The individual to whom the record pertains.

USPS 010.020

System name:

Collection and Delivery Records—Boxholder Records, 010.020.

System location:

Post Offices.

Categories of individuals covered by the system:

Postal customers who have applied for or expressed an interest in post office box or caller services, whether for private or public use.

Categories of records in the system:

Records are in printed or card form and contain name, addresses, telephone number, record of payment, post office box service preference and the names of persons or agents whether family members, business associates, or employees.

Authority for maintenance of the system:

39 U.S.C. 403, 404.

Purpose(s):

To provide post office box services to postal customers.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

This system contains records about postal customers who have applied for a post office box to be used for either a business or non-business purpose (as indicated on the PS Form 1093, Application for Post Office Box or Caller Number, or other evidence). General routine use statements A, B, C, D, E, F, G, H, J, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices and routine use Nos. 2, 3, 4, and 5 below apply to both business and non-business boxholder information within this system.

NOTE: Copies of the PS Form 1093 will not be furnished, except for disclosures made pursuant to a general routine use or routine uses 2, 4, and 5 below.

1. The recorded name, address, and telephone number of the holder of a post office box being used for the purpose of doing or soliciting business with the public, and any person applying for a box in behalf of a holder, will be furnished to any person upon request.

2. Disclosure of boxholder information may be made to a federal, state, or local government agency upon prior written certification that the information is required for the performance of its official duties. A copy of the PS Form 1093 may be furnished.

3. Name or address of the holder of a post office box may be disclosed to a person empowered by law to serve legal process, or the attorney for a party in whose behalf service will be made, or a party who is acting pro se, upon receipt of written information that meets prescribed certification requirements. A copy of the PS Form 1093 will not be furnished.

4. Disclosure of boxholder information may be made to a law enforcement agency, for oral requests made through the Inspection Service, but only after the Inspection Service has confirmed that the information is needed in the course of a criminal investigation. A copy of the PS Form 1093 may be furnished.

5. Disclosure of boxholder information may be made, upon prior written certification from a foreign government agency citing the relevance of the information to an indication of a violation or potential violation of law and its responsibility for investigating or prosecuting such violation, and only if the address is (1) outside of the United States and its territories, and (2) within the territorial boundaries of the requesting foreign government. A copy of the PS Form 1093 may be furnished.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed or card form filed in metal cabinets. In locations where the records have been automated, information may be found on magnetic tape, magnetic cards or mylar strips.

Retrievability:

Information is filed according to local needs, and the volume of records. Billing forms are filed numerically by box number within the month rent is due. Applications are filed alphabetically by name of individual or firm.

Safeguards:

Access limited to employees working in the boxholder section.

Retention and disposal:

a. Boxholder Applications—Destroy 2 years after termination of the rental.

b. Post Office Box Fee Register and Register for Caller Service Fees—Destroy 2 years from date of last entry on card. If automated, delete this customer's record upon termination of the box rental or caller service.

c. Post Office Box and Caller Service Records:

1. Closed Files and Index Cards—Destroy 6 months from date of closing.

2. Closed Appeal Files—Destroy when 1 year old.

System manager(s) and address:

APMG, Delivery, Distribution & Transportation Department, Headquarters, Washington, D.C. 20260–7100.

APMG, Department of the Controller, Headquarters, Washington, D.C. 20260–5200.

APMG, Rates & Classification Department, Headquarters, Washington, D.C. 20260–5300.

Notification procedure:

Inquiries should be addressed to the local postmaster; requestors in person should identify themselves with drivers license, military, government or other form of identification.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

The individual to whom the record pertains.

USPS 010.030

System name:

Collection and Delivery Records—Carrier Drive-Out Agreements, 010.030.

System location:

Divisions, Sectional Centers, Post Offices, Postal Data Centers.

Categories of individuals covered by the system:

Letter carriers who use privately owned vehicles to transport the mails pursuant to a valid agreement with the local postmaster.

Categories of records in the system:

Route Number, name and address of carrier, social security number and effective dates of the agreement.

Authority for maintenance of the system:

39 U.S.C. 1206.

Purpose(s):

To provide reimbursement to carriers driving their own vehicles.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Records may be used to transfer necessary tax information to Internal Revenue Service.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Preprinted forms, magnetic tape disk and computer printout reports.

Retrievability:

The system is indexed by employees' social security number, pay location number and pay period.

Safeguards:

Normal precautions of filing equipment, limited access, and the physical security measures of the computer facility.

Retention and disposal:

a. Agreements—Destroy when 2 years old.

b. Postmaster's copy of the PS 1839—Destroy when 4 years old.

c. Machine-readable records at the PDC (PS 1839 information)—Destroy when 7 years old.

System manager(s) and address:

APMG, Delivery, Distribution & Transportation Department, Headquarters, Washington, D.C. 20260-7100.

Notification procedure:

Inquire whether this system of records contains information about him or to gain access to information pertaining to him should direct an inquiry to the head of the facility where employed. Inquiries should contain full name, social security number, the route worked, and the pay periods that the agreement was in force.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

The individual to whom the record pertains.

USPS 010.040

System name:

Collection and Delivery Records—City Carrier Route Records, 010.040.

System location:

Postal Service Headquarters, Regional Headquarters, Divisions, Sectional Centers, Post Offices, Postal Data Centers and ADP Contractor sites.

Categories of individuals covered by the system:

City delivery letter carriers.

Categories of records in the system:

Employee name, social security account number, age, route number, length of service, leave time and whether or not a transportation agreement exists. Also included is information pertaining to workload, work schedule, performance analysis, and individual work habits; inspection reports of employee workload and workload adjustments; comments by employee and examiner on route adjustments and inspections; and statistical engineering records of carrier and route characteristics.

Authority for maintenance of the system:

39 U.S.C. 403, 404.

Purpose(s):

To assist management in evaluating mail delivery and collection operations and administering these functions efficiently.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms, computerized media, computer printouts.

Retrievability:

Route number, employee name, or postal facility name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

a. Route inspection records and minor adjustment worksheets are retained for 2 years where inspections or minor adjustments are made annually or more frequently. Where inspections are made less than annually, the records that reflect the current route structure are retained indefinitely until a new inspection or minor adjustment is made. At that time, the former records are retained for two years. Disposal of records is by shredding or burning.

b. Other records in system are retained for a period of up to 1 year depending upon the criticality of the information and then destroyed by shredding or burning.

c. Statistical engineering records are retained for 5 years and then further retained on a year-by-year basis as specifically justified.

System manager(s) and address:

APMG, Delivery, Distribution & Transportation Department, Headquarters, Washington, D.C. 20260-7100; SAPMG Operations Group, Headquarters, Washington, D.C. 20260-7000. (Statistical Engineering Records).

Notification procedure:

Inquiries should contain employee's name, social security number, and type of information being requested, and should be forwarded to post office of employment.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Employees, carrier supervisors, and route inspectors.

USPS 010.050

System name:

Collection and Delivery Records—Delivery of Mail Through Agents, 010.050.

System location:

Divisions, Sectional Centers, Post Offices.

Categories of individuals covered by the system:

Postal customer requesting delivery of mail through an agent and the agent to whom the mail is to be delivered.

Categories of records in the system:

Records contain the name and address of customer, name and address of agent and the signatures of both parties.

Authority for maintenance of the system:

39 U.S.C. 403, 404

Purpose(s):

Serves as the written authority for the delivery of mail other than as addressed.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Pre-printed forms maintained in file cabinets.

Retrievability:

Customer name.

Safeguards:

Access is limited to postal employees in the delivery section.

Retention and disposal:

Records are maintained until contract is terminated and then destroyed by shredding.

System manager(s) and address:

APMG, Delivery, Distribution & Transportation Department, Headquarters, Washington, D.C. 20260–7100.

Notification procedure:

Submit to local postmaster proof of personal identity.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Co-signers of the request for delivery of mail through an agent.

USPS 010.060

System name:

Collection and Delivery Records—Free Matter for Blind and Visually Handicapped Persons, USPS 010.060.

System location:

Local Delivery Post Offices

Categories of individuals covered by the system:

Postal customers who are blind or visually handicapped and cannot use or read conventionally printed material and who are receiving postage-free service in their delivery areas.

Categories of records in the system:

Name and address of individual, and statement of competent authority certifying that the individual is unable to read conventional reading material.

Authority for maintenance of the system:

39 U.S.C. 403, 404, 3403, 3404, 3405.

Purpose(s):

To assist local postal management in processing mail matter for blind or visually handicapped persons without undue delay or uncertainty concerning such persons' eligibility to mail or receive items free of postage.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, and J listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files.

Retrievability:

Customer name and address.

Safeguards:

Records are maintained in locked file cabinets with access limited to those persons having an official need to know in the performance of their duties.

Retention and disposal:

Retained as long as the customer resides in delivery area and then destroyed by shredding or burning.

System manager(s) and address:

APMG, Philatelic and Retail Services Department, Headquarters, Washington, D.C. 20260–6700.

Notification procedure:

Customers wishing to know whether information about them is maintained in this system of records should address inquiries to their local postmasters. Inquiries should contain full name and address.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Individuals licensed medical doctors, ophthalmologists, optometrists, registered nurses, professional staff members of hospitals, other institutions or agencies or other competent authority.

USPS 010.070

System name:

Collection and Delivery Records—Mailbox Irregularities, 010.070.

System location:

Divisions, Sectional Centers, Post Offices.

Categories of individuals covered by the system:

Postal Service customers whose mailbox does not comply with USPS standards and regulations.

Categories of records in the system:

Reports of irregularities as submitted by the carrier or route inspector, the name and address of customer and the date and signature of the postmaster.

Authority for maintenance of the system:

39 U.S.C. 403, 404.

Purpose(s):

To provide for efficient delivery of the mail.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Pre-printed forms.

Retrievability:

Route number.

Safeguards:

Filed in cabinets with access limited to USPS personnel having an official need for access.

Retention and disposal:

Retained for one year after completed action and destroyed by shredding or burning.

System manager(s) and address:

APMG, Delivery, Distribution & Transportation Department, Headquarters, Washington, D.C. 20260–7100.

Notification procedure:

Individuals wishing to know whether this system of records contains information about them should contact the local postmaster, presenting identification as to name, address and ZIP Code.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Carrier or route inspector.

USPS 010.080

System name:

Collection and Delivery Records—Rural Carrier Route Records, 010.080.

System location:

Post Offices having rural carrier operations: Operations Support Group; Regions; Divisions; Sectional Centers; Postal Data Centers; National Address Information Center (Memphis, TN); and contractor/licensee sites.

Categories of individuals covered by the system:

Postal customers receiving rural mail delivery services; postal customers whose rural mail address has been converted to a locatable (city-style) address; and rural delivery letter carriers.

Categories of records in the system:

Employee name, route number, age, length of service, physical condition, quality of service and vehicle adequacy. Also included in this system is information pertaining to employee workload, work schedule and performance analysis; inspection reports of employees, workload and workload adjustments, route travel description; and employee and examiners' comments on adjustments and inspection. The system may also contain customer names, rural route location, and city-style address if rural route address has been converted.

Authority for maintenance of the system:

39 U.S.C. 403, 404.

Purpose(s):

(1) To assist management in evaluating rural mail delivery and collection operations and administering these functions efficiently; (2) to provide basis for payment of salary and vehicle maintenance allowance carriers; (3) to assist government planning authorities in converting rural addresses to locatable (city-style) street addresses; and (4) to provide address correction services to mailers who wish to have their mailing lists updated with the newly assigned or converted address.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Provide Bureau of the Census, Department of Commerce address information as requested to assist them in their statutory requirement of census taking.

2. Rural route customer addresses may be disclosed to persons or organizations authorized by a postal regulation to receive address correction information. (Advance notice)

3. Name and address information may be disclosed to Federal, State, and local government agencies as required by such agencies for the purpose of performing their official duties.

4. Name and address information may be disclosed to government planning authorities for the purpose of assigning locatable (city-style) addresses to rural addresses, but disclosure will be limited to that necessary for address conversion or assignment.

5. Disclosure of a customer's new locatable (city-style) address may be made from the Locatable Address Conversion File to mailers wishing to have their mailing lists updated with the newly assigned address, but disclosure will be limited to the assigned adresses corresponding to those provided by the mailer.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Preprinted forms or lists in ordinary file equipment or on computer tape and printouts. Records of rural address conversion to locatable (city-style) address are also consolidated in a Locatable Address Conversion Service file on magnetic tape maintained by firms under contract or license agreement with the Postal Service.

Retrievability:

Records are maintained by name and address of customer, and by route number, employee name or postal facility name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Contractor/licensee Privacy Act protections are subject to impromptu on-site audits and inspection by the Postal Inspection Service.

Retention and disposal:

a. Records in card or list form are maintained as long as the customer resides on the route; they are destroyed by shredding one year after the customer moves. b. Route travel description records, and establishment and discontinuance orders are retained until route is discontinued and then transferred to the Federal Records Center within two years after discontinuance date. c. Trip reports are retained for three years and then disposed of by shredding or burning. d. Route inspection reports and mail count records (mail counts made annually or more frequently) are retained for two years. Where mail counts are made less than annually records are retained until the next mail counts. Disposal of records is by shredding or burning. e. Other carrier records in system are retained for a period of up to one year depending upon the criticality of the information and then destroyed by shredding or burning.

System manager(s) and address:

APMG, Distribution & Transportation Department; and APMG, Operations Systems & Performance Department, Washington, D.C. 20260-7000, Headquarters.

Notification procedure:

Customers wishing to know whether information about them is maintained in this system of records should address inquiries to their local postmaster. Inquiries should contain full name and address. Employee inquiries should state employee name and social security number, route number, specify the type of information being requested, and should be forwarded to post office where employed. Customers wishing to know whether information about them is also maintained in the Locatable Address Conversion System (LACS) should address such inquiries to Manager, LACS, Address Information Systems Division, U.S. Postal Service, Memphis, TN 38188-0001.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

The customer to whom the record pertains, employees, carrier supervisors and route inspectors.

USPS 020.010

System name:

Communications—Biographical Summaries of Management Personnel for Press Release, 020.010.

System location:

Office of News & Market Communications, Headquarters.

Marketing & Communications, Regional Headquarters.

Categories of individuals covered by the system:

USPS executives, directors and managers to include regional staff officers, division directors, division managers, sectional center managers and other key management officials who may have frequent contact with news media or public speaking engagements.

Categories of records in the system:

Biographical summaries on sheets of paper plus photographs. Summaries include present title and responsibility, length of service, age, place of birth, marital status and participation in local community activities.

Authority for maintenance of the system:

39 U.S.C. 401, 1001.

Purpose(s):

To provide background information on postal management personnel in connection with public relations matters such as speaking engagements, media appearances, appearances before civic, fraternal, and employee organizations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, and L listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Bond paper in file cabinets.

Retrievability:

Name and title.

Safeguards:

File cabinets are located in communications offices where information is available only to individuals having a need for access.

Retention and disposal:

a. Biographical sketches maintained at regions are retained while the individual is assigned within the region. If individual is promoted to or assigned to a position within the USPS outside the Region, biographical information is forwarded to the appropriate Public Affairs office; if employment with the USPS is terminated, the sketch is destroyed by shredding.

b. Biographical sketches maintained at USPS Headquarters are retained indefinitely.

System manager(s) and address:

APMG, Communications Department, Headquarters, Washington, DC 20260-3100.

Notification procedure:

Inquiries should contain name and position held and should be presented to the Manager of Communications where currently, or previously, employed.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above.

Contesting record procedures:

See "Notification" above.

Record source categories:

The individual to whom the record pertains.

USPS 030.010

System name:

Equal Employment Opportunity—EEO Discrimination Complaint Files, 030.010.

System location:

Office of Equal Employment Opportunity, Employee Relations Department, Headquarters, Human Resources Service Centers at Regions, Divisions and Postal Data Centers.

Categories of individuals covered by the system:

Current and former postal employees, and applicants for positions within the USPS and third party complaints.

Categories of records in the system:

Records may include names, work locations, dates, social security numbers, and other information as included on affidavits, interviews investigative forms, counselor reports, exhibits, discovery, withdrawal notices, briefs, appeals, copies of decisions, records of hearings and meetings, and other records related to complaints.

Authority for maintenance of the system:

Public Law 92-261, Equal Employment Act of 1972; 29 U.S.C. 621 et seq., Age Discrimination in Employment Act; 29 U.S.C. 701 et seq., Rehabilitation Act of 1973; and Executive Order 11478, amended by Executive Order 11590.

Purpose(s):

Used by EEO officers and the Equal Employment Opportunity Commission to adjudicate complaints of alleged discrimination and to evaluate the effectiveness of the EEO Program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B., C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

Information contained in this system of records may be disclosed to an authorized investigator appointed by the Equal Employment Opportunity Commission, upon his request, when that investigator is properly engaged in the investigation of a formal complaint of discrimination filed against the U.S. Postal Service under 29 CFR part 1613, and the contents of the requested record are needed by the investigator in the performance of his duty to investigate a discrimination issue involved in the complaint.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper case files. Status information required by the Equal Employment Opportunity Commission is maintained on ADP records.

Retrievability:

Case number. The custodian must also be furnished with the name of the complainant and the place where the complaint was filed. Case number consists of a number designating the region (or Headquarters), a letter designating the division, four digits for the chronological case number, and the last two digits of the applicable years.

Safeguards:

Case files are maintained in file cabinets within locked rooms. ADP records are protected with password security.

Retention and disposal:

a. Precomplaint records—Counselor/Investigator notes are destroyed 1 year after a formal report is submitted to the EEO officer or 1 year following the final adjustment when made at that level.

b. Formal Complaint records—All closed cases are removed from the system quarterly. Each closed case is retained as follows: Official file for 4 years, any copies for 1 year, and background documents not in case file for 2 years.

c. ADP records—Closed case information is removed at the conclusion of the fiscal year and moved to an inactive file for future comparative analyses.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, D.C. 20260-4200.

Notification procedure:

Individuals interested in finding out if there is information in this records system pertaining to them should contact EEO officers at the Division or Headquarters level, giving complainant name, postal location, region, file number and year.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is received from the complainant witnesses, respondent and through investigations and interviews.

Systems exempted from certain provisions of the act:

Reference 39 CFR 266.9 for details.

USPS 030.020

System name:

Equal Employment Opportunity—Equal Employment Opportunity Staff Selection Records, 030.020.

System location:

Employee Relations Department, Headquarters and Field Divisions.

Categories of individuals covered by the system:

Candidates considered by Promotion Boards for EEO staff position.

Categories of records in the system:

Name of candidate, level, address, service computation date, date of birth, Social Security Number, postal background, personal information required to assess employee qualifications for position, estimate of potential and record of members of Board.

Authority for maintenance of the system:

39 U.S.C. 1001, Executive Orders 11478 and 11590.

Purpose(s):

To provide headquarters with information needed to complete selection process.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

USPS Promotion Board reviews these records to determine applicant's eligibility for appointment.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Forms, paper files.

Retrievability:

Name of applicant and pay location.

Safeguards:

Maintained in locked file cabinets within secured facility.

Retention and disposal:

Destroy 3 years from date the position becomes vacant.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, D.C. 20260-4200.

Notification procedure:

Inquiries should be addressed to the head of the facility where application was made. Inquiries should contain full name, position applied for, the date the Promotion Board met and Social Security Number.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

Notification and Record Access Procedures above.

Record source categories:

Employee, and employee personnel data.

USPS 030.030

System name:

Equal Employment Opportunity—EEO Administrative Litigation Case Files, 030.030.

System location:

Office of Labor Law, Law Department, National Headquarters; Office of Field Legal Services, Regions; and Field Divisions.

Categories of individuals covered by the system:

Employees and applicants for employment involved in EEO Litigation.

Categories of records in the system:

(a) Formal pleadings and memoranda of law; (b) Other relevant documents may include names, work locations, dates, social security numbers, and other information as included on affidavits, interviews, investigative forms, counselor reports, exhibits, discovery, withdrawal notices, briefs, appeals, copies of decisions, records of hearings and meetings, and other records related to complaints; (c) Miscellaneous notes and case analyses prepared by Postal Service advocates and other personnel; (d) Correspondence and telephone records.

Authority for maintenance of the system:

39 U.S.C. 401, 409(d)

Purpose(s):

To provide advice and representation to the Postal Service.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Information contained in litigation records is public to the extent that the documents have been filed in a court or public administrative proceeding, unless the court or other adjudicative body has ordered otherwise. Such public information, including information concerning the nature, status and disposition of the proceeding, may be disclosed to any person, unless it is determined that release of specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

2. When considered appropriate, records in this system may be referred to a bar association or similar Federal, state or local licensing or regulatory authority for possible disciplinary action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Case records are stored in paper folders and on magnetic tape or disk in automated office equipment.

Retrievability:

Name of litigant(s).

Safeguards:

Folders containing paper documents are kept in lockable filing cabinets within secured buildings or areas under the general scrutiny of authorized personnel. Computer terminals and tape/disk files are located in a secured area, and access is restricted to personnel having an official need.

Retention and disposal:

a. Selected Appeals Case Files—Destroy 4 years from date of final decision or when they have no further use for reference, training, or similar purpose, whichever is longer.

b. Appeal Case Files—Destroy 4 years from date of final decision.

c. Paper records are shredded and computer tape/disk records are erased at the end of the retention period.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, DC 20260-4200.

Notification procedure:

Persons wishing to determine whether this system of records contains information about them should write to the System Manager and provide their name, case number, if known, and the approximate date the action was instituted.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

Notification and Record Access Procedures above.

Note.—Review of requests seeking amendment of records which have previously been the subject of a judicial or quasi-judicial administrative action will be limited in scope. The amendment provisions of the Act are not intended to permit the alteration of evidence presented in the course of an adjudication, nor are they intended to provide a means for collaterally attacking the finality of a judicial or administrative decision. Review of requests for amendment of adjudicative records will be restricted to determining whether the records accurately reflect the action of the judicial or administrative body ruling on the case, and will not include a review of the merits of the action.

Record source categories:

(a) Individuals involved in EEO Litigation; (b) Counsel(s) and other representative(s) for parties in action other than Postal Service; (c) Other individuals involved in the development of EEO Litigation. Source documents include administrative complaint/action file, and other records relevant to the case.

Systems exempted from certain provisions of the act:

Records or information in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a (j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 040.010

System name:

Customer Programs—Memo to Mailers Address File, 040.010.

System location:

Communications Department, USPS Headquarters, and at a contractor site.

Categories of individuals covered by the system:

Subscribers to Memo to Mailers monthly newsletter.

Categories of records in the system:

Subscriber's name and mailing address.

Authority for maintenance of the system:

39 U.S.C. 403, 404.

Purpose(s):

To prepare mailing labels for the monthly mailing of Memo to Mailers.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, and J listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape and computer printout.

Retrievability:

Subscriber's name, city, state and ZIP Code.

Safeguards:

The list contractor is forbidden by contract to use the list for any other means than to produce mailing labels for the U.S. Postal Service.

Retention and disposal:

The master file is maintained indefinitely, and is updated each month.

System manager(s) and address:

APMG, Communications Department, Headquarters, Washington, D.C. 20260-3100.

Notification procedure:

Persons wishing to know whether information about them is maintained in this system of records should address inquiries to the SYSTEM MANAGER and supply their name and address.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Subscribers, Postmaster, USPS Account Representatives.

USPS 040.020

System name:

Customer Programs—Sexually Oriented Advertisements; 040.020.

System location:

Rates and Classification Department, Headquarters; National Information Systems Development Center, Raleigh, NC.

Categories of individuals covered by the system:

Any adult who elects to have his name and address and that of his children under 19 years of age, placed on the list of persons who do not wish to receive sexually oriented advertisements through the mail.

Categories of records in the system:

Name and address of head of household or other adult and the names and birth dates of children under 19 years of age.

Authority for maintenance of the system:

39 U.S.C. 3010.

Purpose(s):

To maintain a list, available to mailers of sexually oriented advertisements, of persons desiring not to receive such matter through the mails.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, and J listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Upon payment of prescribed fee, records may be used to provide mailers of sexually oriented advertisements with a list of individuals who do not wish to receive SOA.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape, computer printouts, and preprinted forms.

Retrievability:

ZIP Code and application number sequence.

Safeguards:

Printouts are retained by the Office of Mail Classification and Rates Administration with limited access. Automated records are subject to computer center access controls.

Retention and disposal:

a. Names are retained on the computerized list for a maximum of five years.

b. Forms, are retained until data has been computerized.

c. Paper records are destroyed by shredding; computer records are destroyed by erasing.

System manager(s) and address:

APMG. Rates and Classification Department, Headquarters, Washington, D.C. 20260-5300.

Notification procedure:

Customers will furnish the system manager their name, address, application number and the date of filing.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Customers filing to have their names placed on lists so as not to receive SOA.

USPS 040.030

System name:

Customer Programs—Auction Customer Address File.

System location:

Post offices having Dead Parcel Branches.

Categories of individuals covered by the system:

Customers who wish to be on a mailing list to receive notices of future Dead Parcel Branch auctions.

Categories of records in the system:

Customer names and addresses.

Authority for maintenance of the system:

39 U.S.C. 401, 404.

Purpose(s):

To maintain a list of names and addresses of customers who wish to be on a mailing list to receive notices of future Dead Parcel Branch auctions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, D, E, F, G, H, and J listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records or magnetic disks.

Retrievability:

Customer name.

Safeguards:

Paper records and disks are kept in locked cabinets; automated data is password protected.

Retention and disposal:

Records are kept for one year after entry and then destroyed by deletion (if automated) or by shredding (if paper).

System manager(s) and address:

APMG, Rates & Classification Department, Headquarters, Washington, D.C. 20260-5300.

Notification procedure:

Customers wishing to know whether information about them is maintained in this system of records should address inquiries to the manager of the Dead Parcel Branch. Inquiries should contain full name and address.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Attendees of auctions and others who ask to receive notice of future actions.

USPS 050.005

System name:

Finance Records—Accounts Receivable File Maintenance, 050.005.

System location:

Postal Data Centers and contractor sites.

Categories of individuals covered by the system:

Present and former employees, contractors, vendors and other individuals indebted to the Postal Service.

Categories of records in the system:

Invoice number, location name, Social Security Number, employee name, designation code.

Authority for maintenance of the system:

39 U.S.C. 401; 5 U.S.C. 552a(b)(12); Debt Collection Act of 1982 (Pub. L. 97-365).

Purpose(s):

Records are used to facilitate debt collection, to monitor and record collections made by the USPS, and as a data source for management information for production of summary descriptive statistics and analytical studies.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Records in this system are subject to review by an independent certified public accountant during an official audit of Postal Service finances.
2. Disclosure may be made to a debt collection agency for collection of a debtor's account as provided for by contract with the debt collection agency.
3. Disclosure of information about individuals indebted to the Postal Service may be made to the Office of Personnel Management under approved computer matching efforts in which either the Postal Service or OPM acts as the matching agency, but limited to those data elements considered relevant to determining whether the indebted individual has retirement funds available for set-off; collecting debts when funds are available for set-off; and writing off debts determined to be uncollectible.

Disclosures to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12) may be made from this system to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681(a)(f)) and the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms, punched cards and magnetic tape.

Retrievability:

Records are normally retrieved by social security number. When necessary, they may be retrieved by invoice number, name of employee, contractor, vendor, or other indebted individual.

Safeguards:

Access is restricted to personnel of the General Accounting Section within the Postal Service and to contract employees responsible for assigned accounts. Computerized records are subject to the security of the computer room. Contract provisions make the contractor(s) responsible for complying with the provisions of the Privacy Act (subsection (m)(1)), except in the case of subsection (b)(12) disclosures to consumer reporting agencies (subsection (m)(2)).

Retention and disposal:

All information is retained for four years after claim is paid and then destroyed by burning or scratching.

System manager(s) and address:

APMG, Department of the Controller, Headquarters, Washington, D.C. 20260-5200.

Notification procedure:

Individuals requesting information from this system of records will apply to the pertinent postal facility and present the debtor's name and Social Security Number.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is passed to this system from the Payroll Section, General Accounting Section, Claims Section, Postmasters and Regional Offices.

USPS 050.010

System name:

Finance Records—Employee Travel Records (Accounts Payable), 050.010.

System location:

Postal Data Centers, Postal Service Personnel Offices.

Categories of individuals covered by the system:

USPS Employees on official travel.

Categories of records in the system:

Travel vouchers and travel advances containing employee name, social security number, Finance Number, basic travel information, and relocation data. Includes records pertaining to employee claims and other accounts payable records.

Authority for maintenance of the system:

39 U.S.C. 1001, 2008.

Purpose(s):

To reimburse employees for official travel.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Pre-printed forms and magnetic tape.

Retrievability:

Social security number and name.

Safeguards:

Paper records are stored in locked filing cabinets. Access to automated records is subject to computer center access control.

Retention and disposal:

a. Officer's Expense Report—Destroy when 12 years old.

b. Travel Advance and Travel Voucher: (1) PDC Copy—Destroy when 6 years and 3 months old. (2) Office Copy—Destroy 2 years from date of submission to PDC.

c. Relocation Travel Orders—Destroy 4 years from date final relocation voucher is submitted.

d. Relocation Travel Orders (Issuing Office)—Destroy when no longer needed for reference.

System manager(s) and address:

APMG, Department of the Controller, Washington, D.C. 20260-5200.

Notification procedure:

Requests for information should be presented to Employee's Personnel Office furnishing name and social security number.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures Above.

Record source categories:

Information is received from the employee filing a voucher.

USPS 050.020

System name:

Finance Records—Payroll System.

System location:

Payroll system records are located and maintained in all Departments, facilities and certain contractor sites of the Postal Service. However, Postal Data Centers are the main locations for payroll information. Also, certain information from these records may be stored at emergency records centers.

Categories of individuals covered by the system:

Current and former USPS employees, postmaster relief/replacement employees, and certain former spouses of current and former postal employees who qualify for Federal Employees Health Benefits Coverage under Pub. L. 98-615.

Categories of records in the system:

General payroll information including retirement deductions, family compensations, benefit deductions, accounts receivable, union dues, leave data, tax withholding allowances, FICA taxes, salary, name, social security number, payments to financial organizations, dates of appointment or status changes, designation codes, position titles, occupation code, addresses, records of attendance, and other relevant payroll information. Also includes automated Form 50 records.

Authority for maintenance of the system:

39 U.S.C. 401, 1003; 5 U.S.C. 8339

Purpose(s):

1. Information within the system is for handling all necessary payroll functions and for use by employee supervisors for the performance of their managerial duties.

2. To provide information to USPS management and executive personnel for use in selection decisions and evaluation of training effectiveness. These records are examined by the Selection Committee and Regional Postmasters General.

3. To compile various lists and mailing lists, i.e., Postal Leader, Women's Programs Newsletter, etc.

4. To support USPS Personnel Programs such as Executive Leadership, Non-Bargaining Position Evaluations, Evaluations of Probationary Employees, Merit Evaluations, Membership and Identification Listings, Emergency Locator Listings, Mailing Lists, Women's Programs, and to generate retirement eligibility information and analysis of employees in various salary ranges.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M Listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Retirement Deduction—To transmit to the Office of Personnel Management a roster of all USPS employees under Title 5 U.S.C. 8334, along with a check.

2. Tax Information—To disclose to Federal, State and local government agencies having taxing authority, pertinent records, relating to individual employees, including name, home address, social security number, wages and taxes withheld for other jurisdictions.

3. Unemployment Compensation Data—To reply to State Unemployment Offices at the request of separated USPS employees.

4. Employee Address File—For W-2 tax mailings and postal mailings such as Postal Life, Postal Leader, etc.

5. Salary payments and allotments to financial organizations—To provide pertinent information to organizations receiving salary payments or allotments as elected by the employee.

6. FICA Deductions—The Social Security Act requires that FICA deductions be made for those employees not eligible to participate in the Civil Service Retirement System or Federal Employees' Retirement System (casuals). In addition, the Tax Equity and Fiscal Responsibility Act of 1982 requires that contributions to the Medicare program be deducted from all employees' earnings. (These statutes do not apply to employees in the Trust Territories who are not U.S. citizens.) Accordingly, records of earnings (i.e., W-2 information) must be disclosed to the Social Security Administration in order that it may account for funds received and determine individual's eligibility for benefits. Information disclosed includes name, address, SSN, wages paid subject to withholding, Federal, state, and local income tax withheld, total FICA wages paid and FICA tax withheld, occupational tax, life insurance premium and other information as reported on an individual's W-2 form.

7. To determine eligibility for coverage and payment of benefits under the Civil Service Retirement System, the Federal Employees' Retirement System, the Federal Employees' Group Life Insurance Program and the Federal Employees' Health Benefits Program and transfer related records as appropriate.

8. To determine the amount of benefit due under the Civil Service Retirement System, the Federal Employees' Retirement System, the Federal Employees' Group Life Insurance Program and the Federal Employees' Health Benefits Program and to authorize payment of that amount and to transfer related records as appropriate.

9. To transfer to Office of Workers' Compensation Program, Veterans Administration Pension Benefits Program, Social Security Old Age, Survivor and Disability Insurance and Medicare Programs, military retired pay programs, and Federal Civilian employee retirement systems other than the Civil Service Retirement System or the Federal Employees' Retirement System, when requested by that program, system, or individual covered by this system, for use in determining an individual's claim for benefits under such system.

10. To transfer earnings information under the Civil Service Retirement System or the Federal Employees' Retirement System to the Internal Revenue Service as required by the Internal Revenue Code of 1954, as amended.

11. To transfer information necessary to support a claim for life insurance benefits under the Federal Employees' Group Life Insurance, 4 East 24th Street, New York, NY 10010-3602.

12. To transfer information necessary to support a claim for health insurance benefits under the Federal Employees' Health Benefits Program to a health insurance carrier or plan participating in the program.

13. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

14. Certain information pertaining to Postal Supervisors may be transferred to the National Association of Postal Supervisors.

15. To provide to the Office of Personnel Management (OPM) approximately 19 data elements (including SSAN, DOB, service computation date, retirement system, and FEGLI status) for use by OPM's Compensation Group. Data collected are not for the purpose of making determinations about specific individuals but are used only as a means of ensuring the integrity of the active employee/annuitant data systems and for analyzing and statistically projecting Federal retirement and insurance system costs. The same data submission will be used to produce summary statistics for reports of Federal employment.

16. Records in this system are subject to review by an independent certified public accountant during an official audit of Postal Service finances.

17. May be disclosed to a Federal or State agency providing parent locator services or to other authorized persons as defined by Pub. L. 93-647.

18. Disclosure of information about current or former postal employees may be made to requesting states under approved computer matching efforts in which either the Postal Service or the requesting State acts as the matching agency, but limited to only those data elements considered relevant to making a determination of employee participation in and eligibility under unemployment insurance programs administered by the States (and by those States to local governments); to improving program integrity; and to collecting debts and overpayments owed to those governments and their components.

19. To union-sponsored insurance carriers for the purpose of determining eligibility for coverage and payment of benefits under union-sponsored non-Federal insurance plans and transferring related records as appropriate.

20. Disclosure of information about current or former postal employees may be made to requesting Federal agencies or non-Federal entities under approved computer matching efforts in which either the Postal Service or the requesting entity acts as the matching agency, but limited to only those data elements considered relevant to making a determination of employee participation in and eligibility under particular benefit programs administered by those agencies or entities or by the Postal Service; to improving program integrity; and to collecting debts and overpayments owed under those programs.

21. Disclosure of information about current or former postal employees may be made, upon request, to the Department of Defense (DOD) under approved computer matching efforts in which either the Postal Service or DOD acts as the matching agency, but limited to those elements necessary to identify postal employees who are Ready Reservists for the purposes of updating DOD's listings of Ready Reservists and reporting reserve status information to the Postal Service and the Congress.

22. Disclosure of information about current or former postal employees may be made to requesting Federal agencies or non-Federal entities under approved computer matching efforts in which either the Postal Service or the requesting entity acts as the matching agency, but limited to only those data elements considered relevant to identifying those employees who are absent parents owing child support obligations and to collecting debts owed as a result thereof.

23. Disclosure of information about current or former postal employees may be made on a semi-annual basis to the Department of Defense (DOD) under approved computer matching efforts in which either the Postal Service or DOD acts as the matching agency, but limited to only those data elements considered relevant to identifying retired military employees who are subject to restrictions under the

Dual Compensation Act as amended (5 U.S.C. 5532), and for taking subsequent actions to reduce military retired pay or collect debts and overpayments, as appropriate.

24. Disclosure of information about current or former postal employees may be made to requesting Federal agencies under approved computer matching efforts in which either the Postal Service or the requesting entity acts as the matching agency. Disclosure will be limited to only those data elements considered relevant to identify individuals who are indebted to those agencies and to provide those individuals with due process rights prior to initiating any salary offset, pursuant to the Debt Collection Act.

25. Disclosure of information about current and former employees may be made to the Selective Service System (SSS) under approved computer matching efforts in which either the Postal Service or SSS acts as the matching agency. Disclosure will be limited to only those data elements considered relevant to identify individuals eligible for registration under the Military Selective Service Act (50 U.S.C. App. 451 et seq.), to determine whether those individuals have complied with registration requirements, and to enforce compliance when necessary.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Preprinted forms, magnetic tape, microforms, punched cards, computer reports and card forms.

Retrievability:

Location, name and social security number.

Safeguards:

Records are contained in locked filing cabinets; are also protected by computer passwords and tape library physical security.

Retention and disposal:

a. Leave Application Files (Absence Control) and Unauthorized Overtime—Destroy when 2 years old.

b. Time and Attendance Records (Other than payroll) and local payroll records—Destroy when 3 years old.

c. PDC records retention—contact PDC Payroll Office or Records Office.

System manager(s) and address:

APMG, Department of the Controller, Washington, D.C. 20260-5200 and APMG, Employee Relations Department, Washington, D.C. 20260-4200.

Notification procedure:

Request for information on this system of records should be made to the head of the facility where employed giving full name and social security number. Headquarters employees should submit requests to the System Manager.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is furnished by employees, supervisors and the Postal Source Data System.

USPS 050.040

System name:

Finance Records—Uniform Allowance Program, 050.040.

System location:

Postal facilities employing personnel entitled to uniform allowances and the Postal Data Center, St. Louis, MO.

Categories of individuals covered by the system:

USPS employees entitled to uniform allowances.

Categories of records in the system:

Name, social security number, designation code, account balance and pay location; invoices, bills, related correspondence and control documents.

Authority for maintenance of the system:

39 U.S.C. 1206.

Purpose(s):

To fund the procurement of uniforms.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

Certain information may be furnished to a duly licensed uniform vendor from whom individual employees have made purchases for the purpose of accounting for payments.

2. Records in this system are subject to review by an independent certified public accountant during an official audit of Postal Service finances.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Preprinted forms, microfilm and magnetic tape.

Retrievability:

Social security number.

Safeguards:

Forms are kept in file cabinets and magnetic tape and microfilm are subject to Computer Center access control.

Retention and disposal:

a. Post Office Case File—Destroy 3 years from date the employee leaves Postal Service or is no longer in a bargaining unit.

b. PDC Card File—Destroy 6 months after each Accounting Period.

c. PDC Pay Listing and Machine Readable Records—Destroy 6 years and 3 months from date of listing.

System manager(s) and address:

APMG Department of the Controller, Headquarters, Washington, D.C. 20260-5200.

Notification procedure:

Correspond with the head of the facility where employed, furnishing name and social security number.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Payroll system and Postmasters have input to this system of records.

USPS 060.010

System name:

Consumer Protection Records—Fraud, False Representation, Lottery and Non-Mailability Case Records, 060.010.

System location:

Consumer Protection Division, Law Department, USPS Headquarters.

Categories of individuals covered by the system:

Complainants; respondents and opposing parties in proceedings initiated pursuant to 39 U.S.C. 3001, 3002 and 3005 concerning the sending of false representations, lotteries or non-mailable matter through the mails; postal attorneys; attorneys representing parties; subjects of investigation and assigned Postal Inspectors.

Note.—In many cases, respondents are business firms not covered by the Privacy Act.

Categories of records in the system:

Complaints, pleadings, motions, orders, hearing transcripts, adjudications, investigative reports, exhibits, documentary evidence, witness statements, appeals, briefs, memoranda of law, consent agreements, orders directing detention of mail correspondence, decisions and other documents pertaining to administrative proceedings and litigation involving false representation, mailability and lotteries.

Authority for maintenance of the system:

39 U.S.C. 3001, 3002, 3005, 3007, 3012; 18 U.S.C. 1301; 39 CFR parts 952, 953.

Purpose(s):

Used by consumer protection attorneys to investigate and enforce postal statutes concerning false representation, lottery and mailability; to represent the Postal Service in formal administrative proceedings before the Judicial Officer Department and in civil litigation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Copies of initial, tentative and final decisions are maintained in the Postal Service Library for public inspection and copying.

2. Official records of administrative proceedings are maintained by the Recorder of the Judicial Officer Department for public inspection.

3. Information contained in litigation records is public to the extent that the documents have been filed in a court or public administrative proceeding, unless the court or other adjudicative body has ordered otherwise. Such public information, including information concerning the nature, status and disposition of the proceeding, may be disclosed to any person, unless it is determined that release of specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

4. When considered appropriate, records in this system may be referred to a bar association or similar Federal, state or local licensing or regulatory authority for possible disciplinary action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Case records are stored in paper folders. Abbreviated summary and identifying information pertaining to each case is maintained in case file docket binders and on magnetic tape or disk in automated office equipment. Copies of decisions are maintained for public inspection in the Headquarters Library. Official records of proceedings are maintained by the Recorder of the Judicial Officer Department.

Retrievability:

Alphabetically by name of respondent, and numerically by sequential docket number.

Safeguards:

Records are stored in lockable file cabinets under the general scrutiny of Postal Service attorneys. Access to computer data is restricted to personnel having an official need for access.

Retention and disposal:

Case files are moved to an inactive file 3 years after completion of action, and disposed of 20 years from date of completion. Case file dockets are destroyed 20 years after the destruction of the case files to which they pertain.

System manager(s) and address:

General Counsel, Law Department, USPS Headquarters, Washington, DC 20260–1100.

Notification procedure:

Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the above SYSTEM MANAGER. Inquiries should contain full name, name by which respondent in proceeding may have been designated; and approximate time period in which proceedings may have been initiated.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Note.—Review of requests seeking amendment of records which have previously been the subject of a judicial or quasi-judicial administrative action will be limited in scope. The amendment provisions of the Act are not intended to permit the alteration of evidence presented in the course of an adjudication, nor are they intended to provide a means for collaterally attacking the finality of a judicial or administrative decision. Review of requests for amendment of adjudicative records will be restricted to determining whether the records accurately reflect the action of the judicial or administrative body ruling on the case, and will not include a review of the merits of the action.

Record source categories:

Complaints, correspondence between parties involved and Postal Inspection Service investigative reports.

Systems exempted from certain provisions of the act:

Records or information in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a (j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 060.020

System name:

Consumer Protection Records Pandering Act Prohibitory Orders, 060.020.

System location:

Consumer Protection Division, Law Department, Headquarters; Mail Classification Centers; Regional Counsel Offices, Regional Headquarters; and Field Divisions.

Categories of individuals covered by the system:

Persons requesting orders prohibiting the sending of sexually oriented advertisements, and the mailers against whom such orders are issued.

Note.—In most cases, the mailers of advertising material are business firms not covered by the Privacy Act.

Categories of records in the system:

Applications for prohibitory orders, the mail piece upon which a request is predicated, issued orders, the registered mail receipt signed by mailer against whom order was issued, applications for the enforcement of prohibitory orders, pleadings, exhibits, briefs, investigative reports, hearing transcripts, material documents from Postmaster's case file, initial, tentative and final decisions, and appeals.

Authority for maintenance of the system:

39 U.S.C. 3008, 3010; 39 CFR parts 916, 963.

Purpose(s):

To process requests for orders prohibiting the sending of pandering advertisements through the mails and to determine whether violations of such orders have occurred. Used by Consumer Protection Division and Regional Counsel to investigate violations of postal pandering and sexually oriented advertisement statutes; to represent the Postal Service in administrative proceedings before the Judicial Officer Department; and to seek court enforcement of prohibitory orders.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, and J listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Records may be used to provide mailers of sexually oriented advertisements with a list of individuals who do not wish to receive such material.

2. Copies of initial, tentative and final decisions are maintained in the Postal Service Library for public inspection and copying.

3. Official records of administrative proceedings are maintained by the Recorder of the Judicial Officer Department for public inspection.

4. Information contained in litigation records is public to the extent that the documents have been filed in a court or public administrative proceeding, unless the court or other adjudicative body has ordered otherwise. Such public information, including information concerning the nature, status and disposition of the proceeding, may be disclosed to any person, unless it is determined that release of specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

5. When considered appropriate, records in this system may be referred to a bar association or similar Federal, state or local licensing or regulatory authority for possible disciplinary action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Case records are stored in paper folders. Abbreviated information is stored in log books and on magnetic tape or disk in automated office equipment. Copies of decisions are maintained for public inspection in the Headquarters Library. Official records of proceedings are maintained by the Recorder of the Judicial Officer Department.

Retrievability:

By prohibitory order number or by name of person requesting order.

Safeguards:

Case files are stored in lockable file cabinets under the general scrutiny of Postal Service attorneys. Access to computer data is restricted to personnel having an official need for access.

Retention and disposal:

a. Case Files—Retained for 5 years following issuance of order or last application for enforcement.

b. Log Books—Disposed of 5 years from date of last entry.

System manager(s) and address:

General Counsel, Law Department, USPS Headquarters, Washington, DC 20260–1100.

Notification procedure:

Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the System Manager. Inquiries should contain full name and address of the person requesting the prohibitory order.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Note.—Review of requests seeking amendment of records which have previously been the subject of a judicial or quasi-judicial administrative action will be limited in scope. The amendment provisions of the Act are not intended to permit the alteration of evidence presented in the course of an adjudication, nor are they intended to provide a means of collaterally attacking the finality of a judicial or administrative decision. Review of requests for amendment of adjudicative records will be restricted to determining whether the records accurately reflect the action of the judicial or administrative body ruling on the case, and will not include a review of the merits of the action.

Record source categories:

Persons requesting prohibitory orders.

Systems exempted from certain provisions of the act:

Records or information in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a(j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 060.030

System name:

Consumer Protection Records—Appeals Involving Mail Withheld from Delivery, 060.030.

System location:

Consumer Protection Division, Law Department, USPS Headquarters; Inspection Service.

Categories of individuals covered by the system:

Individuals who appeal on account of the withholding of their mail and attorneys representing such persons.

Note.—Business firm customers are not covered by the Privacy Act.

Categories of records in the system:

Original correspondence regarding the withholding of mail from delivery; records that document the withholding; investigative reports; evidence of delivery or attempted delivery of notices; petitions; pleadings, notes and legal memoranda; discovery documents; briefs; settlement agreements; decisions, appeals and orders.

Authority for maintenance of the system:

39 U.S.C. 204, 401, 3003, 3004; 18 U.S.C. 1302, 1341 and 1342; 39 CFR part 964.

Purpose(s):

To enable the General Counsel to represent the Postal Service in administrative proceedings before the Judicial Officer Department in which customers petition for review of cases in which the Inspection Service has withheld mail from delivery pursuant to 39 U.S.C. 3003 or 3004.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Copies of initial, tentative and final decisions are maintained in the Postal Service Library for public inspection and copying.

2. Official records of administrative proceedings are maintained by the Recorder of the Judicial Officer Department for public inspection.

3. Information contained in litigation records is public to the extent that the documents have been filed in a court or public administrative proceeding, unless the court or other adjudicative body has ordered otherwise. Such public information, including information concerning the nature, status and disposition of the proceeding, may be disclosed to any person, unless it is determined that release of specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

4. When considered appropriate, records in this system may be referred to a bar association or similar Federal, state or local licensing or regulatory authority for possible disciplinary action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Appeal case records are stored in paper folders, filed chronologically by date of closing. Abbreviated information, such as case name and other identifying data, is stored on index cards, filed alphabetically by case name, and on magnetic tape or disk in automated office equipment.

Retrievability:

By Postal Service docket number and by name of individual whose mail has been withheld from delivery.

Safeguards:

Records are maintained in lockable filing cabinets under the general scrutiny of Postal Service attorneys. Access to computer data is restricted to personnel having an official need for access.

Retention and disposal:

Appeal case records are destroyed one year after final disposition of case. Index cards are destroyed six months after final disposition of case.

System manager(s) and address:

General Counsel, Law Department, USPS Headquarters, Washington, DC 20260–1100.

Notification procedure:

Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the System Manager. Inquiries should contain full name and address of the person whose mail has been withheld and the approximate date of such withholding.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Note.— Review of requests seeking amendment of records which have previously been the subject of a judicial or quasi-judicial administrative action will be limited in scope. The amendment provisions of the Act are not intended to permit the alteration of evidence presented in the course of an adjudication, nor are they intended to provide a means for collaterally attacking the finality of a judicial or administrative decision. Review of requests for amendment of adjudicative records will be restricted to determining whether the records accurately reflect the action of the judicial or administrative body ruling on the case, and will not include a review of the merits of the action.

Record source categories:

Individuals whose mail has been withheld from delivery, and their attorneys; Inspection Service investigative reports; witnesses.

Systems exempted from certain provisions of the act:

Records or information in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a (j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 060.040

System name:

Consumer Protection Records—Appeals from Termination of Post Office Box or Caller Service, 060.040.

System location:

Consumer Protection Division, Law Department, USPS Headquarters; Post Offices.

Categories of individuals covered by the system:

Individuals who appeal from the refusal to provide, or involuntary termination of, post office box or caller service and attorneys representing such persons.

Note.—Business firm customers are not covered by the Privacy Act.

Categories of records in the system:

Original correspondence regarding denial or termination of post office box or caller service; records that document involuntary termination; investigative reports; evidence of delivery or attempted delivery of notices; petitions; pleadings, notes and legal memoranda; briefs; settlement agreements; decisions, appeals and orders.

Authority for maintenance of the system:

39 USC 401, 404(A)(1); 39 CFR part 958; Domestic Mail Manual, Parts 951, 952.

Purpose(s):

To enable the General Counsel to represent the Postal Service in administrative proceedings before the Judicial Officer Department in which customers petition for review of postmaster determinations to refuse or terminate post office box or caller service.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Information contained in litigation records is public to the extent that the documents have been filed in a court or public administrative proceeding, unless the court or other adjudicative body has ordered otherwise. Such public information, including information concerning the nature, status and disposition of the proceeding, may be disclosed to any person, unless it is determined that release of specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

2. When considered appropriate, records in this system may be referred to a bar association or similar Federal, state or local licensing or regulatory authority for possible disciplinary action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Appeal case records are stored in paper folders, filed chronologically by date of closing. Abbreviated information, such as case name and other identifying data, is stored on index cards, filed alphabetically by case name, and on magnetic tape or disk in automated office equipment.

Retrievability:

By Postal Service docket number and by name of individual whose service has been refused or terminated.

Safeguards:

Records are maintained in lockable filing cabinets under the general scrutiny of Postal Service attorneys. Access to computer data is restricted to personnel having an official need for access.

Retention and disposal:

Appeal case records are destroyed one year after final disposition of case. Index cards are destroyed six months after final disposition of case.

System manager(s) and address:

General Counsel, Law Department, USPS Headquarters, Washington, DC 20260-1100.

Notification procedure:

Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the System Manager. Inquiries should contain full name and address of the person whose service has been terminated and the approximate time period of its termination.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Note.—Review of requests seeking amendment of records which have previously been the subject of a judicial or quasi-judicial administrative action will be limited in scope. The amendment provisions of the Act are not intended to permit the alteration of evidence presented in the course of an adjudication, nor are they intended to provide a means for collaterally attacking the finality of a judicial or administrative decision. Review of requests for amendment of adjudicative records will be restricted to determining whether the records accurately reflect the action of the judicial or administrative body ruling on the case, and will not include a review of the merits of the action.

Record source categories:

Individuals whose post office box or caller service has been terminated, and their attorneys; reports of postmasters; Inspection Service investigative reports.

Systems exempted from certain provisions of the act:

Records or information in this system that have been compiled in reasonable anticipation of a civil action or proceeding is exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a (j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 070.010

System name:

Inquiries and Complaints—Correspondence Files of the Postmaster General, 070.010.

System location:

Office of the Postmaster General, USPS Headquarters.

Categories of individuals covered by the system:

USPS employees and Postal Service customers who have corresponded with the Office of the Postmaster General.

Categories of records in the system:

General correspondence including correspondent's name, address, nature of inquiry, and response.

Authority for maintenance of the system:

39 USC 401.

Purpose(s):

To maintain reference to letters from persons communicating with the Postmaster General.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Periodically transferred to custody of National Archives and Records Administration (NARA) for keeping as historical documentation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Original typed, printed, or handwritten form.

Retrievability:

Individual's name, chronologically and subject.

Safeguards:

Records are maintained in locked filing cabinets under scrutiny of PMG's secretary and in secured locked storage room with limited access.

Retention and disposal:

a. Permanent Subject Files—Transfer to a Federal Records Center when 4 years old. Offer to NARA in 5-year blocks when the latest records are 20 years old.

b. Temporary Subject Files—Destroy when 4 years old.

System manager(s) and address:

Postmaster General, Headquarters, Washington, D.C. 20260-0010.

Notification procedure:

Inquiries should be addressed to the SYSTEM MANAGER and should contain full name, date of letter, and subject.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Persons communicating with the Postmaster General.

USPS 070.020

System name:

Inquiries and Complaints—Government Officials' Inquiry System 070.020.

System location:

Government Relations Department, USPS Headquarters.

Categories of individuals covered by the system:

Employees, former employees, applicants for employment, contractors, lessors, and customers who have written to nonpostal government officials, congressmen and other government officials corresponding with the USPS in behalf of postal customers/employees and various individuals to whom Postal Service announcements/greetings are directed.

Categories of records in the system:

Information stemming from correspondence described above, and lists of individuals for announcements/greetings.

Authority for maintenance of the system:

39 U.S.C. 401.

Purpose(s):

To provide USPS officials with the means of responding to inquiries from and/or for other government officials and to serve as a workload reporting system for which a description appears as USPS 170.010.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

(For records received before December 31, 1986): Original, typed, printed, or handwritten form and on magnetic tape/disk and computer printouts. (For records received after January 1, 1987): Optical disk, magnetic tape/disk, and computer printouts.

Retrievability:

Subject category as derived from correspondence and the name of the inquirer and/or official inquiring in his/her behalf.

Safeguards:

All records not in storage at a GSA Federal Records Center are maintained on computer-readable media in a secured data processing facility.

Retention and disposal:

Paper records are maintained for four years and then destroyed by shredding; optical disk/magnetic tape/disk records are kept for three years and then erased.

System manager(s) and address:

APMG, Government Relations Department, USPS Headquarters, Washington, D.C. 20260-3500.

Notification procedure:

Persons wishing to know whether information about them is maintained in this system of records should address inquiries to the System manager.

Inquiries should contain full name, the name of the government official to whom he or she wrote, the nature of the inquiry and the approximate date.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Nonpostal government officials.

USPS 070.040

System name:

Inquiries and Complaints—Customer Complaint Records, 070.040.

System location:

Consumer Advocate USPS, Regional and National Headquarters, Divisions, Post Offices, and the Postal Data Center in St. Louis, MO.

Categories of individuals covered by the system:

USPS customers who have contacted the USPS with a suggestion or a problem.

Categories of records in the system:

Customer's name, address, nature of the inquiry or complaint, and resolution of same. Includes general correspondence and Consumer Service Cards concerning customer complaints/inquiries.

Authority for maintenance of the system:

39 U.S.C. 403, 404.

Purpose(s):

To process USPS customer concerns and inquiries regarding mail services.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Typed, printed, handwritten or computer printed form, microfilm, and magnetic tape.

Retrievability:

For correspondence and computerized complaint cards, by chronological sequence within subject category as derived from correspondence and the name of inquirer or complainant. For complaint cards, chronologically by retrieval code and preprinted complaint card serial number.

Safeguards:

Paper records are maintained in closed filing cabinets. Computer records are subject to the security of the computer room.

Retention and disposal:

Destroy 1 year after resolution of problem.

System manager(s) and address:

APMG, Philatelic and Retail Services Department, Headquarters, Washington, D.C. 20260-6700.

Notification procedure:

Customers wishing to know whether information about them is maintained in this system of records should address inquiries to the same facility to which they submitted their complaint. Inquiries concerning complaint cards should include the date and card serial number.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

USPS customers.

USPS 080.010

System name:

Inspection Requirements—Investigative File System, 080.010.

System location:

Chief Postal Inspector, Headquarters; Inspection Service Regional Headquarters; Division Headquarters.

Categories of individuals covered by the system:

Persons related to investigations, including subjects of investigations, complainants, informants, witnesses, etc.

Categories of records in the system:

Reports of investigations conducted in criminal, civil, and administrative matters, including personnel suitability, and information in various forms received from individuals, other law enforcement agencies and the public, including information compiled for the purpose of identifying criminal offenders and reports identifiable to individuals. Personal information in this system may include fingerprints, handwriting samples, reports of confidential informants, physical identifying data, voiceprints, polygraph tests, photographs, and individual personnel and payroll information.

Authority for maintenance of the system:

39 U.S.C. 404.

Purpose(s):

To provide information related to investigation of criminal matters: employee and contractor background investigations or other inspection service activities.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. In the course of conducting any official investigation or during the course of a trial or hearing or the preparation of a trial or hearing, a record may be disseminated to an agency, organization or individual when reasonably necessary to elicit information relating to the investigation, trial or hearing or to obtain the cooperation of a witness or informant.

2. A record relating to a case or matter may be disseminated to a Federal, State, or local administrative or regulatory proceeding or hearing in accordance with the procedures governing such proceeding or hearing;

3. A record relating to a case or matter may be disseminated in an appropriate Federal, State, local or foreign court or grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice;

4. A record relating to a case or matter may be disseminated to an actual or potential party or his or her attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings;

5. A record relating to a case or matter that has been referred by an agency for investigation, prosecution, or enforcement, or that involves a case or matter within the jurisdiction of an agency, may be disseminated to such agency to notify the agency of the status of the case or matter or of any decision or determination that has been made, or to make such other inquiries and reports as are necessary during the processing of the case or matter.

6. A record relating to a person held in custody pending or during arraignment, trial, sentence, or extradition proceedings, or after conviction may be disseminated to a Federal, State, local or foreign prison, probation, parole, or pardon authority, or to any other agency or individual concerned with the maintenance, transportation or release of such a person.

7. A record relating to a case or matter may be disseminated to a foreign country pursuant to an international treaty or convention entered into and ratified by the United States or to an executive agreement;

8. A record may be disseminated to a Federal, State, local, foreign or international law enforcement agency to assist in the general crime prevention and detection efforts of the recipient agency or to provide investigative leads to such agency;

9. A record from this system may be disclosed to the public, news media, trade associations, or organized groups to provide information of interest to the public concerning the activities and the accomplishments of the Postal Service or its employees;

10. A record may be disseminated to a foreign country, through the United States Department of State or directly to the representative of such country, to the extent necessary to assist such country in apprehending and/or returning a fugitive to a jurisdiction that seeks that person's return.

11. To provide members of the American Insurance Association Index System with certain information relating to accidents and injuries.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in typed, printed, and handwritten form, and on computer storage media.

Retrievability:

Name of the individual.

Safeguards:

Investigative records are maintained in locked file cabinets, safes, or secured areas under the scrutiny of Inspection Service personnel who have been subjected to security clearance procedures. Access is further restricted by computer passwords when stored in electronic format.

Retention and disposal:

a. Records are maintained 1 to 15 years depending upon type. Exceptions may be granted for longer retention in specific instances. Paper records are destroyed by burning, pulping, or shredding. Computer tape/disk records are erased or destroyed.

b. Duplicate copies of investigative memorandums maintained by postal officials other than the Inspection Service are retained in accordance with official rather than Inspection Service disposition schedules.

System manager(s) and address:

Chief Postal Inspector, Headquarters, Washington, D.C. 20260-2100.

Notification procedure:

Persons wishing to know whether information about them is contained in this system of records or if they were the subject of an investigation should furnish the SYSTEM MANAGER sufficient identifying information to distinguish them from other individuals of like name; identifying data will include name, address, type of investigation, dates, places and the individuals involvement.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Personal interviews, written inquiries, and other records concerning persons involved with an investigation, whether subjects, applicants, witnesses, references, or custodians of record information.

Systems exempted from certain provisions of the act:

Reference 39 CFR 266.9 for details.

USPS 080.020

System name:

Inspection Requirements—Mail Cover Program Records, 080.020.

System location:

Chief Postal Inspector, USPS Headquarters; Inspection Service Regional and Divisional Offices.

Categories of individuals covered by the system:

Individuals on whom a mail cover has been duly authorized to obtain information in the interest of (1) protecting the national security (2) locating a fugitive and (3) obtaining evidence of the commission or attempted commission of a crime which is punishable by imprisonment for a term exceeding one year.

Categories of records in the system:

Names and addresses of individuals, inter-office memorandums, and correspondence with other agencies.

Authority for maintenance of the system:

39 U.S.C. 401, 404.

Purpose(s):

To investigate the commission of or attempted commission of acts constituting a crime that is punishable by law.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, and J listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Information from this system of records may be disclosed to an appropriate law enforcement agency, whether Federal, State or local, charged by law with the responsibility for investigating, prosecuting or otherwise acting with respect to protecting the national security, locating a fugitive, or obtaining evidence of commission or attempted commission of a crime.

2. A record relating to a case or matter may be disseminated in an appropriate Federal, State, local, or foreign court on grand jury proceeding in accordance with established constitutional, substantive, or procedural law or practice.

3. A record relating to a case or matter may be disseminated to an actual or potential party or his or her attorney for the purpose of negotiation or discussion on such matters as settlement of the case or matter, plea bargaining, or informal discovery proceedings.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Original typed documents and/or duplicate copies, and computer storage media.

Retrievability:

Subject's name filed alphabetically by fiscal year.

Safeguards:

Mail cover data is stored in locked file cabinets, safes or secured areas under the security of Inspection Service personnel who have been subjected to security clearance procedures, and when stored in electronic format, access is further restricted by computer password or keylock. Classified mail cover material and any mail cover data which involves national security is stored in a safe or in metal file cabinets equipped with either steel lockbar hasp and staple, or locking device and an approved three or more number combination dial-type padlock from which the manufacturer's identification numbers have been removed. Computer terminals with non-removable tape/disk files are located in a secured area, and access is further restricted by computer password and keylock.

Retention and disposal:

a. Correspondence Files—Destroy 8 years after case is closed.

b. Investigations (C)— Transfer to FRC when 2 years old; destroy when 8 years old.

c. Index and Record Slips—Destroy 15 years after close of case.

System manager(s) and address:

Chief Postal Inspector, USPS Headquarters, Washington, DC 20260-2100.

Notification procedure:

Persons wishing to know whether information about them is maintained in this system of records should address inquiries to the SYSTEM MANAGER. Inquiries should contain full name and current address, together with previous addresses for past eight years when applicable.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Correspondence from requesting authority and record of action taken upon that request.

Systems exempted from certain provisions of the act:

Reference 39 CFR 266.9 for details.

USPS 080.030

System name:

Inspection Requirements—Vehicular Violations Record System, 080.030.

System location:

Procurement and Supply Department, Engineering Support Center, and Inspection Service, USPS Headquarters; and those postal field facilities where security officers have the authority to issue violation notices.

Categories of individuals covered by the system:

Persons who have been issued courtesy violation notices or violation notices by Security Police Officers.

Categories of records in the system:

Individual violator's name, State operator permit, State operator permit number, violation cited, date of citation, citation number issued, State automobile licence tag number, dates of court appearances.

Authority for maintenance of the system:

40 U.S.C. 318, annually made applicable to the Postal Service by general provisions of the Treasury, Postal Service, and General Government Appropriation Act.

Purpose(s):

To provide USPS management with information necessary for appropriate administrative remedial action.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, and L listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. To provide information to local, State, and Federal enforcement, prosecutive and judicial officials.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Original, typed, printed or handwritten form and on computer storage media.

Retrievability:

Alphabetically, by name of violator and by automobile license tag number.

Safeguards:

Records maintained in limited access Security Force Control Centers manned 24 hours and at National Headquarters, in locked filing cabinets under general scrutiny of authorized personnel. Computer terminals and tape/disk files are located in a secured area.

Retention and disposal:

Records are maintained for two years and then destroyed. Some records may be retained longer when required for law enforcement investigations or court proceeding. Automated printouts are destroyed upon generating updated printouts.

System manager(s) and address:

Chief Postal Inspector, USPS Headquarters, Washington, D.C. 20260-2100.

Notification procedure:

Individuals wishing to know whether information about them is maintained in this system of records should furnish name and residence address as follows:

a. For National Headquarters: Inspector in Charge, Special Investigations Division, 475 L'Enfant Plaza West, SW., Washington, DC 20260-2112.

b. For the Field: Inspector in Charge, USPS of appropriate field division.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Individual violators, Security Police Officers, personnel observation, state motor vehicle registration bureau, USPS Personnel Department, supervisory personnel of tenant firms, USPS Parking Control Officer, prosecutive and judicial officials; motor vehicle operators' permits, violator's personal identification cards, personnel locator listing and parking applications.

USPS 090.020

System name:

Non-Mail Services—Passport Application Records, 090.020.

System location:

One thousand (1000) Post Offices in all states except New Jersey.

Categories of individuals covered by the system:

Persons applying for passports.

Categories of records in the system:

Passport applications, name, telephone number and services rendered.

Authority for maintenance of the system:

39 U.S.C. 401, 411, 22 U.S.C. 214.

Purpose(s):

To process the applications of passports.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statement A, B, C, D, E, F, G, H, J, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Records may be transferred to the State Department.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms in hard copy.

Retrievability:

By name of applicant and postal accounting quarter.

Safeguards:

Information in this system of records is maintained in file cabinets with access restricted to Accounting Unit personnel.

Retention and disposal:

Passport applications are retained for 2 days at the post office where application was made and then forwarded to the Department of State. Destroy original and carbon copy of PS 5659 when 3 months old.

System manager(s) and address:

APMG, Philatelic and Retail Services Department, Headquarters, Washington, DC 20260-6700.

Notification procedure:

Customers wishing to know whether information about them is maintained in this system of records should address inquiries to the postmaster of the post office where a passport application was made. Inquiries should contain full name and date of application.

NOTE: The original case file is maintained by Department of State and must be requested from that organization as provided for under Department of State Privacy Act system for passport information.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures.

See Notification and Record Access Procedures above.

Record source categories:

Information in this system of records is obtained from the applicant.

USPS 100.010

System name:

Office Administration—Carpool Coordination/Parking Services Records System, 100.010

System location:

Facilities Department, Headquarters, William F. Bolger Management Academy, Potomac, MD (student/conferee records), and various field installations.

Categories of individuals covered by the system:

USPS employees, students/conferees, building tenants, individuals who are members of carpools with USPS employees and other individuals who utilize postal parking facilities.

Categories of records in the system:

Applications, registration forms, letters of violations, letters of suspensions and payment data. Information contained in these records include name, space number, principal and other drivers' license numbers and home addresses.

Authority for maintenance of the system:

39 U.S.C. 401.

Purpose(s):

Provide parking and carpooling services to employees, student/conferees and others who use postal parking/facilities.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Disclosure may be made to provide any employee of Headquarters, USPS, who desires to join or establish a carpool with a listing of employees who live in his/her ZIP Code area.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Preprinted forms and magnetic tape/disk.

Retrievability:

Name and ZIP Code, space or license number.

Safeguards:

Folders containing paper documents are maintained in locked file cabinets to which only authorized personnel have access. Computer equipment is located in secured area, and magnetic tape/disk files are kept in locked steel cabinets. Access to automated records is further restricted by passwords.

Retention and disposal:

a. Application Case Files—Screen file annually, and dispose of records that are 6 years old.

b. Machine-readable files—Immediately remove all information when employee/trainee surrenders space.

c. Accounting Reports—Destroy after audit or when 3 years old, whichever is sooner.

d. Other miscellaneous reports—Destroy when no longer needed for reference or when 1 year old, whichever is sooner.

e. Violations maintained in application case files—Destroy violation notice when 1 year old.

f. Medical files maintained by medical officer to support handicapped parking space—Destroy 1 year from date of termination of assignment. At the end of retention period, paper records are destroyed by shredding or burning and tape/disk records are erased.

System manager(s) and address:

APMG, Facilities Department, Headquarters, Washington, DC 20260-6400, and Field Director, William F. Bolger Management Academy, Potomac, MD 20858-4320.

Notification procedure:

Employees wishing to know whether information about them is maintained in this system of records should address inquiries to the system manager where carpool/parking services are provided to him/her.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Carpool and parking service applicants/users.

USPS 100.020

System name:

Office Administration—Commercial Accounts Communicator Letter, 100.020.

System location:

Marketing Department, Headquarters, and Postal Data Centers (Minneapolis and St. Louis).

Categories of individuals covered by the system:

Headquarters and Regional Marketing personnel, Division Managers, Division Directors of Marketing, Sectional Center Directors of Marketing, Directors of Customer Services, selected postmasters and requesters, Commercial Accounts representatives, Sectional Center Managers of Retail Sales and Services, Post Office Managers of Marketing.

Categories of records in the system:

Name, job title, and business address of employees receiving newsletter.

Authority for maintenance of the system:

39 U.S.C. 401, 1001.

Purpose(s):

To distribute a sales and marketing newsletter to Postal Service marketing employees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, and L listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape, and paper forms.

Retrievability:

Recipient of communicator letter.

Safeguards:

Paper forms are kept in closed file cabinets accessible only by authorized marketing personnel. Magnetic tapes are maintained in a secured ADP facility.

Retention and disposal:

List is updated on a continuous basis.

System manager(s) and address:

Assistant Postmaster General, Marketing Department, Headquarters, Washington, D.C. 20260-6300.

Notification procedure:

Employees wishing to know whether information about them is maintained in this system of records should write to the System Manager and give the following information: Name, job title, and business ZIP Code.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information in this system is obtained from payroll system and in-house listings of interested readers.

USPS 100.050

System name:

Office Administration—Localized Employee Administration Records, 100.050.

System location:

Field facilities as designated by the facility head.

Categories of individuals covered by the system:

Facility employees.

Categories of records in the system:

Employee name, various information associated with work location, home address, emergency contact point, and other information as locally required.

Authority for maintenance of the system:

39 U.S.C. 1001.

Purpose(s):

Provides readily available information on employees for various routine administrative purposes such as work location identification, emergency locating and home mailings.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records and computer disk.

Retrievability:

Employee name, organization, pay location, finance number, others as locally required.

Safeguards:

Paper records kept in locked files; computerized disk files password protected.

Retention and disposal:

Records about individual employees will be destroyed within 6 months of employment termination at that facility.

Lists generated from computerized systems will be destroyed upon the generation of a subsequent more current list.

System manager(s) and address:

Facility head.

Notification procedure:

Inquiries should contain employee's name and be addressed to the SYSTEM MANAGER.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Individuals of record.

USPS 110.010

System name:

Property Management—Accountable Property Records, 110.010.

System location:

All USPS Components.

Categories of individuals covered by the system:

Employees assigned accountable property.

Categories of records in the system:

Records controlling the issuance of accountable Postal Service property, such as equipment credentials and controlled documents.

Authority for maintenance of the system:

39 U.S.C. 401.

Purpose(s):

To provide a record of accountable property on hand and to whom it has been assigned.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements, A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms and computer storage media.

Retrievability:

Name or social security number of recipient of accountable property and types of equipment.

Safeguards:

Physical security and controlled access.

Retention and disposal:

Issuance documents are returned to individual when accountability is terminated. Automated printouts are destroyed upon generating updated printouts.

System manager(s) and address:

(1) Chief Postal Inspector, Headquarters, Washington, DC 20260-2100, (2) APMG, Facilities Department, Headquarters, Washington, DC 20260-6400.

Notification procedure:

Employees wishing to know whether information about them is maintained in the system should address inquiries to the Custodian in the facility where assignment was made. Headquarters employees should submit request to the SYSTEM MANAGER.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is obtained from the individual to whom the record pertains.

USPS 110.020

System name:

Property Management—Possible Infringement of USPS Intellectual Property Rights, 110.020.

System location:

Office of Patent Counsel, Law Department, USPS Headquarters.

Categories of individuals covered by the system:

Possible infringers of USPS copyrights and trademarks; inventors of proposed devices in which the USPS may have an interest.

Categories of records in the system:

Reports from Inspection Service, other postal employees, or other sources reporting possible infringers, including advertisements, photographs, magazine clippings or other documents and any correspondence or records of telephone conversations between the Postal Service and the possible infringer; patent applications and related documents, including descriptions of inventions, drawings, specifications and letters of patent issued by the U.S. Patent Office or notices of abandonment; litigation records related to the defense or enforcement of USPS rights in intellectual property or patents.

Authority for maintenance of the system:

39 U.S.C. 401(5).

Purpose(s):

To protect USPS intellectual properties and patents by insuring timely action against possible infringers and to support potential litigation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, and L listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. A record may be transferred, and information from it disclosed, to any officer, employee, former officer or employee, consultant, contractor or subcontractor when necessary to enable counsel to afford proper representation to the Postal Service.

2. A record may be transferred, and information from it disclosed to any Federal agency as may be appropriate for the coordinated defense or prosecution of related litigation or the resolution of related claims or issues without litigation.

3. A record may be disclosed in a Federal, State, local, or foreign judicial or administrative proceeding in accordance with the procedures and practices governing such proceeding.

4. A record may be transferred and information from it disclosed to the Patent and Trademark Office, Department of Commerce, when pertinent in any proceeding involving the registration of Postal Service trademarks or issuance of patents.

5. A record may be transferred and information from it disclosed to the Copyright Office, Library of Congress, when pertinent in any proceeding involving the registration of Postal Service copyrights.

6. Information contained in litigation records is public to the extent that the documents have been filed in a court or public administrative proceeding, unless the court or other adjudicative body has ordered otherwise. Such public information, including information concerning the nature, statute and disposition of the proceeding, may be disclosed to any person, unless it is determined that release of specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

7. When considered appropriate, records in this system may be referred to a bar association or similar Federal, state or local licensing or regulatory authority for possible disciplinary action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Stored in lockable file cabinets in original, typed, printed or handwritten form. Index cards, kept in a card file, are filed by USPS copyright and trademark and subfiled under the name of each possible infringer of that particular copyright or trademark. Some correspondence is also stored on magnetic tape or disk in automated office equipment.

Retrievability:

Name of possible infringer and USPS copyright or trademark; patent application files are retrieved by name of inventor.

Safeguards:

Lockable file cabinets under the general scrutiny of Postal Service attorneys. Access to computer data is restricted to personnel having an official need for access.

Retention and disposal:

Records are retained for 50 years after closing case and then destroyed by shredding or burning.

System manager(s) and address:

General Counsel, Law Department, USPS Headquarters, Washington, D.C. 20260-1100.

Notification procedure:

An individual wishing to determine whether this system of records contains information about him should write to the System Manager and provide his full name and, if known, the pertinent USPS copyright, trademark, or patent.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Note.—Review of requests seeking amendment of records which have previously been the subject of a judicial or quasi-judicial administrative action will be limited in scope. The amendment provisions of the Act are not intended to permit the alteration of evidence presented in the course of an adjudication, nor are they intended to provide a means for collaterally attacking the finality of a judicial or administrative decision. Review of requests for amendment of adjudicative records will be restricted to determining whether the records accurately reflect the action of the judicial or administrative body ruling on the case, and will not include a review of the merits of the action, determination, or finding.

Record source categories:

Information is provided by the Postal Inspection Service, postal employees and customers.

Systems exempted from certain provisions of the act:

Records or information in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a (j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from these other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 120.020

System name:

Personnel Records—Blood Donor Records, 120.020.

System location:

Health Units at USPS Facilities: District Chapters of the American Red Cross.

Categories of individuals covered by the system:

USPS employees who volunteer to join the USPS Blood Donor Program.

Categories of records in the system:

Name, work location, blood type, and date of each donation.

Authority for maintenance of the system:

39 U.S.C. 401.

Purpose(s):

To provide the USPS Blood Donation Program with a record of each donor's blood type and dates of donation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

Disclosure may be made to the American Red Cross in response to an inquiry for available donors having a particular blood type.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Preprinted forms.

Retrievability:

Employee's name.

Safeguards:

Closed file cabinets in secured facilities.

Retention and disposal:

These records are retained for a period of five years after termination of employment and then destroyed by shredding.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, D.C. 20260-4200.

Notification procedure:

Employees wishing to know whether information about them is maintained in this system of records should address inquiries to the head of the facility where employed. Headquarters employees should submit requests to the SYSTEM MANAGER. Inquiries should contain full name.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is obtained from the individual.

USPS 120.035

System name:

Personnel Records—Employee Accident Records, 120.035.

System location:

Safety offices in any USPS facility.

Categories of individuals covered by the system:

All employees that experience an on-the-job accident and/or an occupational injury or illness.

Categories of records in the system:

Name, social security number, address, sex, age, and accident/injury circumstances and factors, statements of witnesses, investigation worksheet, summary of claims, and related logs, forms, and correspondence.

Authority for maintenance of the system:

Pub. L. 91-596, Executive Order 12196, and 29 CFR part 1960.

Purpose(s):

1. To assist postal managers in meeting the requirement to develop and maintain an effective program of collection, compilation, and analysis of occupational safety and health statistics.

2. To provide for the uniform collection and compilation of occupational safety and health data, for proper evaluation and necessary corrective action.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. To furnish the U.S. Department of Labor with serious accident reports, information to reconcile claims filed with the Office of Worker's Compensation, and quarterly and annual summaries of occupational injuries and illnesses; and to make information available to the Secretary of Labor upon his request.

2. Disclosure may be made to a court, claimant, party in litigation—or counsel for a claimant or party when necessary to facilitate settlement or attempts at settlement of claims involving the accident.

3. May be disclosed to Compliance Safety and Health Officers or to Compliance Safety and Health Officers—Industrial Hygienists from the Occupational Safety and Health Administration, or to Industrial Hygienists from the National Institute for Occupational Safety and Health, when conducting announced or unannounced inspections or investigations of postal facilities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Index cards, magnetic tape/disk microfilm, preprinted forms, logs, and computer reports.

Retrievability:

Employee name and social security number.

Safeguards:

Maintained in closed file cabinets within secured facilities, and are also protected by computer password and tape or disk library physical security.

Retention and disposal:

Records are maintained locally for 5 years. Copies are maintained at National Headquarters for 5 years following the end of the calendar year to which they relate as required by OSHA.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, DC 20260-4200.

Notification procedure:

Employees wishing to know whether information about them is maintained in this system of records should address inquiries to the head of the facility where employed. Headquarters employees should submit requests to the SYSTEM MANAGER. Inquiries should contain full name, address, finance number and social security number.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

USPS Accident Reports and OWCP claim forms.

Systems exempted from certain provisions of the act:

Records or information in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a (j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from these other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 120.036

System name:

Personnel Records—Discipline, Grievance and Appeals Records for Non-Bargaining Unit Employees, 120.036.

System location:

All postal facilities.

Categories of individuals covered by the system:

Records are maintained on non-bargaining employees in the Executive and Administrative (EA) Schedule, Executive and Administrative Postmaster (EPM) Schedule, and Postal Career Executive Service (PCES) Level I, who have completed six months of continuous service in the U.S. Postal Service or a minimum of twelve months of combined service, without break of a workday, in positions in the same line of work in the Civil Service and the Postal Service, unless any part of such service was pursuant to a temporary appointment in the competitive service with a definite time limitation.

Categories of records in the system:

Notice to employee of proposed action, reply to notice, summary of oral reply, employee notice of grievance, employee notice of appeal, records of hearing proceedings, appeal decisions from installation head, region or Headquarters, notice of action, investigative reports and related records.

Authority for maintenance of the system:

39 U.S.C. 1001; Subchapter 650 of the Employee & Labor Relations Manual.

Purpose(s):

Provides a grievance and appeal procedure for an employee, not subject to the provisions of a collective bargaining agreement, who alleges that his or her rights regarding compensation, benefits, or other terms and conditions of employment have been adversely affected.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M Listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. To respond to a court subpoena and/or refer to a court in connection with a civil suit.

2. To adjudicate an appeal, complaint, or grievance.

3. Records from the employee file will be disclosed to the Merit Systems Protection (MSPB) and the Equal Employment Opportunity Commission (EEOC) for action on appeals before the MSPB and complaints of discrimination before the EEOC.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information in this system is maintained on paper in the form of letters, forms, notices and transcripts of hearings. In some instances, records of hearing proceedings are on magnetic tape.

Retrievability:

Employee name.

Safeguards:

Records are kept in locked filing cabinets or secured record storage rooms and are available only to authorized officials.

Retention and disposal:

Appeal records are kept for 7 years after close of file. All other records are kept 1 year after close of file.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, DC 20260–4200.

Notification procedure:

Field employees must submit a written request to the head of the field installation where the action was initiated. Headquarters employees must submit a written request to the System Manager. They may also request permission to listen to or record tape recordings of hearings. This must be done in the presence of a postal official. They must identify themselves to the satisfaction of the official authorized to approve request.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Employee initiating actions; employee's supervisors, management, complaining customer, law enforcement agencies, and others.

Systems exempted from certain provisions of the act:

Records or information in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a(j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from these other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 120.040

System name:

Personnel Records—Employee Job Bidding Records, 120.040.

System location:

Most departments, facilities and certain contractor sites of the Postal Service.

Categories of individuals covered by the system:

Employees who have made a "Bid for Preferred Assignment" with the USPS.

Categories of records in the system:

Employee name, social security number, seniority and grade levels, craft, and knowledge of schemes; vacant position characteristics.

Authority for maintenance of the system:

39 U.S.C. 1001,1206.

Purpose(s):

To provide personnel offices with fair and impartial information to match vacant position to the most qualified candidate.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. To provide information for official bulletin boards and release to various employee organizations.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored on magnetic tape, punched cards, preprinted forms and computer printed reports.

Retrievability:

This system is indexed by employee name and social security number.

Safeguards:

Computer center access control and limitation within offices to those employees maintaining the system.

Retention and disposal:

Computer records are kept 2 years, then automatically deleted. Paper records are kept 6 months after a vacancy is filled, then destroyed. Some records are retained until employee separates. (Where records become part of a grievance case file, dispose of with the case file.)

System manager(s) and address:

APMG, Employee Relations Department Headquarters, Washington, D.C. 20260–4200.

Notification procedure:

The employee should state the position of bid and identify himself/herself with name, social security number, closing date of the bid notice, and forward this information to the head of the facility where employed. Headquarters employees should submit requests to the System Manager.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Employee personnel data, scheme knowledge, qualifications of the job and of the candidate, successful bidders notices from vacant duty assignment postings.

USPS 120.050

System name:

Personnel Records—Employee Suggestion Program Records, 120.050.

System location:

USPS Headquarters, Regional Headquarters, Postal Data Centers.

Categories of individuals covered by the system:

USPS employees.

Categories of records in the system:

Name of employee, employee number, employment location, suggestion number, subject and decision. If adopted, estimate of benefits and recognition granted.

Authority for maintenance of the system:

Chapter 45 of Title 5, U.S.C.

Purpose(s):

To provide a source of data on the effectiveness of the Employee Suggestion program which is summarized in an Annual Report.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

Disclosure may be made to the news media from the record of an individual regarding his/her receipt of an employee award when the information is of news interest and consistent with the public right to know.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms and magnetic tape.

Retrievability:

Employee name, region where employed, pay location, and division.

Safeguards:

This information is maintained in file cabinets in secured facilities; automated records are restricted to personnel having an official need for access.

Retention and disposal:

a. Adopted Suggestions (1) Record copies—Destroy when 4 years old. (2) All other copies—Destroy 2 years from date of adoption or approval.

b. Disapproved suggestions—Destroy 2 years from date of disapproval.

Records are destroyed by shredding and automatic deletions from computer tapes.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, D.C. 20260–4200.

Notification procedure:

Employees wishing to know whether information about them is maintained in this system of records should contact the head of the facility where employed. Also, employees who have appealed decisions or whose suggestions have been adopted nationwide should submit requests to the System Manager. Headquarters employees should submit all requests to the System Manager.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is obtained from the individual making the suggestion.

USPS 120.060

System name:

Personnel Records—Confidential Statements of Employment and Financial Interests, 120.060.

System location:

Records pertaining to employees in each organizational component of the Postal Service are maintained by the Assistant or Associate Ethical Conduct Officer having jurisdiction for that component pursuant to 39 CFR 447.31(b).

Categories of individuals covered by the system:

Postal Service Governors, employees in levels 24 and above, and Special Employees (except employees who are required to file public financial disclosure reports) as determined by the criteria in Executive Order 11222 and implemented by Postal Service regulations, 39 CFR 447.41(a).

Categories of records in the system.

PS Forms 2417 and 2418, and supplemental statements, containing employee name, title, salary, date of appointment to present position; list of organizations in which employee has a financial interest, types of indebtedness, interest in real property and types of outside employment. Opinions of counsel. Other information related to review of statements and conflict of interest determinations. Postal Service Governors complete Standard Form 278 in lieu of PS Forms 2417 or 2418.

Authority for maintenance of the system:

Section 207 of the Ethics in Government Act, Pub. L. 95–521, as amended; Executive Orders 11222 and 11590.

Purpose(s):

These records are maintained to meet requirements of Executive Order 11222 on the filing of employment and financial interest statements. Such statements are required to assure compliance with the standards of conduct for Government employees contained in the Executive Order and title 18 of the U.S. Code, and to determine if a conflict of interest exists between the employment of individuals by the Postal Service and their personal employment and financial interests. To enable the Director of the Office of Government Ethics to ensure that these purposes are met, records maintained by the Postal Service are to be made available to that office on request. Records may also be furnished to the Executive Office of the President and to the appropriate Congressional committee when needed in connection with the nomination and confirmation of Presidential appointees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Records or information may be provided to the Director, or his representative, of the Office of Government Ethics.

2. Records or information may be provided upon request to the Executive Office of the President when needed in connection with the nomination of Presidential appointees.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Preprinted forms and paper folders. Information from the forms may also be stored on magnetic tape or disk in automated office equipment.

Retrievability:

Records are retrieved by the individual's name within each organizational component.

Safeguards:

Records are kept in lockable file cabinets to which only authorized personnel have access. Access to computer data is restricted to personnel having an official need for access.

Retention and disposal:

Records are maintained for as long as employee is subject to reporting requirements and for two years thereafter. Records needed in an on-going investigation may be retained longer until such time as they are no longer needed for the investigation. Disposal is by shredding.

System manager(s) and address:

General Counsel, Law Department, Headquarters, Washington, D.C. 20260–1100.

Notification procedure:

An employee wishing to inquire whether this system of records contains information about him/her or to gain access to information pertaining to him/her should direct an inquiry to the head of the facility where employed. Headquarters employees should submit requests to the SYSTEM MANAGER. Inquiries should contain full name and place of employment.

Record access procedures:

See NOTIFICATION above. Individuals requesting access must also comply with USPS' Privacy Act regulations on verification of identity and access to records (39 CFR 266.6).

Contesting record procedures:

See NOTIFICATION above. Since the information in these records is updated by the subject individual on a periodic basis, most record corrections can be accomplished by filing supplemental statements. However, individuals can obtain information on the procedures for contesting the records under the provisions of the Privacy Act by contacting the USPS Records Officer.

Record source categories:

Information in this system of records is provided by:

a. The subject individual or by a designated person such as a trustee, attorney, accountant, or relative.

b. Ethics officials who review the statements to make conflict of interest determinations.

c. Persons alleging conflicts of interests and persons contacted during any investigation of the allegations.

USPS 120.061

System name:

Personnel Records—Public Financial Disclosure Reports for Executive Branch Personnel, 120.061.

System location:

Law Department, USPS Headquarters.

Categories of individuals covered by the system:

Senior level employees as determined by the criteria in section 201(f) of the Ethics in Government Act and implemented by Postal Service regulations, 39 CFR 447.42(a), consisting of the following persons: Postmaster General; Deputy Postmaster General; Ethical Conduct Officer; Administrative Law Judges; each employee who occupies a position that is compensated at or above level 2 of PCES I; and each employee whose basic rate is equal to or greater than the rate of basic pay for the first step of GS-16.

Note.—Records pertaining to the Governors of the Postal Service are maintained as a part of System USPS 120.060 and are not contained in this system.

Categories of records in the system:

Public Financial Disclosure Report (Standard Form 278, or such other forms as may be prescribed by the Director, Office of Government Ethics), containing the following types of information: Income from sources other than the Postal Service; interests in property; purchases, sales and exchanges of property; gifts and reimbursements; liabilities; positions held; and relations with other employees. Position descriptions. Opinions of counsel and other information related to review of reports and to conflict of interest determination.

Authority for maintenance of the system:

Title II of Ethics in Government Act of 1978, Pub. L. 95–521, amended.

Purpose(s):

These records are maintained to meet the public financial reporting requirements imposed by the Ethics in Government Act on high level executive personnel. The reports serve to deter conflicts of interest and to identify potential conflicts of interest by providing for a systematic disclosure and review of the financial interests of both current and prospective officers and employees. To enable the Director of the Office of Government Ethics to ensure that these purposes are met, records maintained by the Postal Service are made available to that office on request. Records may also be furnished to the Executive Office of the President and to the appropriate Congressional committee when needed in connection with the nomination and confirmation of Presidential appointees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

(1) Financial Disclosure Reports (SF 278) are available to members of the public for inspection and copying upon written request made in accordance with section 205 of the Ethics in Government Act, Pub. L. 95-521, as amended, and 39 CFR 442.42(c)(2).

(2) Records or information may be provided to the Director, or his representative, of the Office of Government Ethics.

(3) Records or information may be provided upon request to the Executive Office of the President when needed in connection with the nomination of Presidential appointees.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Preprinted forms and paper folders. Information from the forms may also be stored on magnetic tape or disk in automated office equipment.

Retrievability:

Records are retrieved by the individual's name.

Safeguards:

Paper records are kept in lockable file cabinets to which only authorized personnel have access. Access to computer data is restricted to personnel having an official need for access.

Retention and disposal:

Records are maintained for six years, or longer if needed in connection with a pending investigation. Disposal is by shredding or burning.

System manager(s) and address:

General Counsel, Law Department, USPS Headquarters, 475 L'Enfant Plaza, SW., Washington, DC 20260-1100.

Notification procedure:

An employee wishing to inquire whether this system of records contains information about him or to gain access to information pertaining to him should direct an inquiry to the System Manager. Inquiries should contain full name and place of employment.

Record access procedures:

See Notification above.

Contesting record procedures:

See Notification above. Since the information in these records is updated by the subject individual on a periodic basis, most record corrections can be accomplished by filing subsequent reports. However, individuals can obtain information on the procedures for contesting the records under the provisions of the Privact Act by contacting the System Manager.

Record source categories:

Information in this system of records is provided by:

a. The subject individual or by a designated person such as a trustee, attorney, accountant, or relative.

b. Ethics officials who review the reports to make conflict of interest determinations.

c. Persons alleging conflicts of interests and persons contacted during any investigation of the allegations.

USPS 120.070

System name:

Personnel Records—General Personnel Folder (Official Personnel Folders and records related thereto), 120.070.

System location:

Personnel Offices of all USPS facilities; National St. Louis, MO; Personnel Records Center, E&LR Information Centers, Headquarters and Chicago, IL; Postal Data Center, Minneapolis, MN; and National Test Administration Center, Alexandria, VA.

Categories of individuals covered by the system:

Present and former USPS employees; and certain former spouses of current and former employees who qualify and apply for Federal Employees Health Benefits coverage under Pub. L. 98-615.

Categories of records in the system:

Applications, resumes, merit evaluations, promotion/salary change and other personnel actions, letters of commendation, records of disciplinary actions, health benefit and life insurance elections and other documents pertaining to preemployment, prior Federal employment and current service as prescribed by USPS directives.

Authority for maintenance of the system:

39 U.S.C. 1001, 1005 42 U.S.C. 2000e-16. Executive Orders 11478 and 11590.

Purpose(s):

Used by administrators, managers, selection review committees, and individual employee supervisors to perform routine personnel functions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. To provide information to a prospective employer of a USPS employee or former USPS employee.

2. To provide statistical reports to Congress, agencies, and the public on characteristics of the USPS work force.

3. To provide data for the compilation of a local seniority list that is used by management to make decisions pertaining to appointment and assignments among craft personnel. The list is posted in local facilities where it may be reviewed by USPS employees.

4. To transfer to the OPM upon retirement of an employee information necessary for processing retirement benefits.

5. Disclosure of relevant and necessary information pertaining to an employee's participation in health, life insurance and retirement programs may be made to the Office of Personnel Management and private carriers for the provision of related benefits to the participant (also see USPS 050.020).

6. Disclosure of minority designation codes may be made to the Equal Employment Opportunity Commission for the oversight and enforcement of Federal EEO regulations.

7. Disclosure of records of discipline relating to individual employees may be made to State Employment Security Agencies at the initial determination level of the unemployment compensation claim process.

8. Information pertaining to an employee who is a retired military officer will be furnished to the appropriate service finance center as required under the provisions of the Dual Compensation Act.

9. May be disclosed to a Federal or State agency, providing parent locator services or to other authorized persons as defined by Pub. L. 93-647.

10. Records in this system are subject to review by an independent certified public accountant during an official audit of Postal Service finances.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files, preprinted forms, Official Personnel Folders, magnetic tape and other computer storage devices.

Retrievability:

Employee name and location of employment and social security number.

Safeguards:

Folders are maintained in locked cabinets to which only authorized personnel have access; automated records are protected by computer passwords and tape or disc library physical security.

Retention and disposal:

a. Official Personnel Folder (OPF) Records—These records are considered to be permanent and are maintained until employee is separated, and then are sent to the National Personnel Records Center, St. Louis, for storage, or to another Federal agency to which the individual transfers employment.

b. Personnel Work Sheets—Destroy 30 days after a new PS 50 is issued.

c. Temporary Records of Individual Employees—Destroy when 2 years old, upon separation, or upon transfer of employee, whichever is sooner.

d. Service Record Cards—Destroy 3 years after separation or transfer of employee."

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, D.C. 20260–4200.

Notification procedure:

Employees wishing to gain access to their Official Personnel Folders should submit requests to the facility head where employed. Headquarters employees should submit requests to the System Manager. Former Postal Service employees should submit request to any Postal Service facility head giving name, date of birth and social security number. Former Post Office Department employees having no Postal Service employment (prior to July 1971) should submit the request to the Office of Personnel Management (formerly the U.S. Civil Service Commission), Compliance and Investigations Group, Washington, D.C. 20415–0001.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Individual employee, personal references, former employers and USPS 050.020 (Finance Records—Payroll System).

Systems exempted from certain provisions of the act:

The USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a (j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 120.090

System name:

Personnel Records—Medical Records, 120.090.

System location:

Postal Service medical facilities and designee offices; USPS Corporate Health Fitness Center (Headquarters only).

Categories of individuals covered by the system:

Present and former USPS employees, individuals who have been offered employment but failed the medical examination before being placed on the rolls, and employees of other agencies that have entered into an agreement with the Postal Service to have the Postal Services perform medical services for the agencies' employees; also Headquarters employees who participate in the corporate health/fitness program.

Categories of records in the system:

Name, address, job title, social security number, installation, illness, supervisor's and physician's reports (on Authorizations for Medical Attention); pertinent medical history including physical examinations, treatment received at the health unit, occupational injuries, or illnesses, substance abuse information, findings, diagnoses and treatment, doctor's statements and recommendations, records of immunizations, and medical findings related to employees' exposure to toxic substances. In addition, Headquarters employees who participate in the corporate health/fitness program will voluntarily provide data about their lifestyle, exercise schedule, smoking habits, knowledge as to personal health, personal and family medical history, nutrition, stress levels, and other data relevant to making a health risk appraisal. Records of participant employees' individualized schedules and progress may be kept.

Authority for maintenance of the system:

29 U.S.C. 401, 1001.

Purpose(s):

a. To provide all employees with necessary health care and to determine fitness for duty; and

b. To provide a comprehensive individualized health promotion program for Headquarters employees and to determine the employee and organizational benefits of that program. (NOTE: Personal information about employee participants in the Corporate Health Fitness Program at Headquarters is under the exclusive custody of the contractor operating the Program and is not available to postal management. These data are maintained only for those employees who voluntarily provide it and under conditions assuring that it will not be disclosed without the written authority of the subject employee. Aggregated data may be provided to postal management for its use in determining the employee and organizational benefits of the program, but that data will have no personal identifiers affixed to it.)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Information in these records may be provided to the Office of Personnel Management in making determinations related to:

a. Veterans Preference;

b. Disability Retirement; and

c. Benefit Entitlement.

2. Information on these records may be provided to officials of the following Federal agencies responsible for administering benefit programs:

a. Office of Workers' Compensation Programs;

b. Retired Military Pay Centers;

c. Veterans Administration; and

d. Social Security Administration.

3. Records in this system may be disclosed to an employee's private treating physician and to medical personnel retained by the Postal Service to provide medical services in connection with an employee's health or physical condition related to employment.

4. May be disclosed to an outside medical service when that organization performs the physical examinations and submits the evaluation to the Postal Service pursuant to a contract with the USPS as part of an established Postal Service health program for the purpose of determining a postal employee's fitness for duty.

5. May be disclosed to the Occupational Safety and Health Administration, Department of Labor when needed by that organization to perform its duties properly in accordance with 29 CFR part 19.

6. May be disclosed to the National Institute of Occupational Safety and Health when needed by that organization to perform its duties properly in accordance with 29 CFR part 19.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Preprinted forms and paper files (Official Medical Folders); Preprinted forms and paper files and hard-copy computer storage (Corporate Health Fitness Center records).

Retrievability:

Employee name.

Safeguards:

Maintained in locked files. Access to automated Corporate Health Fitness Center records is restricted by password protection to medical screening personnel and health/fitness specialists under contract to operate the Corporate Health Fitness Program facility at Headquarters.

Retention and disposal:

a. Employee Medical Folder—Medical records considered to be permanent are maintained until employee is separated and then are sent to the National Personnel Records Center for storage, or to another Federal agency to which the individual transfers employment. The records are maintained for 30 years from the date the employee separates from Federal service.

b. Failed Eligibles--Retained in Personnel office along with employment application and destroyed by shredding when 2 years old.

c. Authorization for Medical Attention (PS 3956)—Destroy when 2 years old.

d. Corporate Health Fitness Center records—Retained by contractor operating Center until termination of contract at which time they must be returned to the USPS.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, DC 20260–4200.

Notification procedure:

An employee wishing to know whether information about him/her is maintained in this system of records should address inquiries to the head of the facility where employed. Headquarters employees should submit requests to the System Manager. Failed eligibles should address inquiries to the head of the facility where application for employment was made. Inquiries should contain full name.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

USPS employees, selected eligibles, Veterans Administration and USPS medical staff.

USPS 120.098

System name:

Personnel Records—Office of Workers' Compensation Program (OWCP) Record Copies, 120.098.

System location:

All postal facilities.

Categories of individuals covered by the system:

Postal employees who have voluntarily filed for injury compensation.

Categories of records in the system:

Copies of Department of Labor forms consisting of claims and supporting information, Postal Service forms and correspondence related to the claim; automated payment and accounting records.

Authority for maintenance of the system:

39 U.S.C. 1005.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Purpose(s):

To provide injury compensation to qualifying employees and to maintain a record of the events as a basis for managerial decisions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Information may be provided to the Department of Labor for the purpose of determining whether a claimant qualifies for compensation and to what extent qualification applies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms and correspondence (Note: In some cases, the USPS by agreement with the Department of Labor (DOL) temporarily stores original case files. These files are considered to be DOL records to which DOL rather than USPS regulations apply.) Continuation of pay and DOL charge-back information is stored on computer media.

Retrievability:

Alphabetically by name and social security number.

Safeguards:

Maintained in locked filing cabinets within the exclusive custody of the injury compensation control point. Automated records are protected through computer password security, encryptions, and/or a computer software security system.

Retention and disposal:

Transfer to a Federal Records Center 5 years after the employee has left the Postal Service; dispose of 30 years from date the employee leaves the Postal Service.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, D.C. 20260-4200; and APMG, Department of the Controller, Washington, D.C. 20260-5200.

Notification procedure:

Employees wishing to know whether information about them is maintained in this system of records should address inquiries to the head of the facility where employed. Headquarters employees should submit requests to the System Manager.

Record access procedures:

See Notification Procedure above. (Note: The original case file (in most instances) is maintained by OWCP and must be requested from that organization as provided for under Department of Labor Privacy Act System DOL/EAS-13.)

Contesting record procedures:

The contents of OWCP records may be contested only by contacting OWCP as provided for under the Department of Labor Privacy Act System DOL/EAS-13.

Record source categories:

Information is obtained from the claimant, the supervisor, witnesses, physicians, Department of Labor, and USPS 120.035.

USPS 120.099

System name:

Personnel Records—Injury Compensation Payment Validation Records, 120.099.

System location:

All postal facilities having injury compensation units, National Headquarters and Postal Data Centers.

Categories of individuals covered by the system:

Current and former Postal Service employees who have received or are receiving injury compensation program payments.

Categories of records in the system:

Lists of individuals whose names appear in two systems of records, research case records, and remuneration records related to injury compensation paid to current and former employees by the Postal Service. (See "Retention and disposal" for cases in which these records are converted to investigative files.)

Authority for maintenance of the system:

39 U.S.C. 1001, 39 U.S.C. 1005.

Purpose(s):

This information is used to identify instances in which improper double payments have been or are being made to Postal Service employees who have filed injury-sickness compensation claims and to maintain records of this event as a basis for: Detecting fraud; seeking remuneration and/or legal action; reporting the extent of double payments nationwide; and proposing corrective legislation.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer reports, paper records, correspondence and research records.

Note: These files are considered to be USPS records to which USPS regulations apply.

Retrievability:

Social security number.

Safeguards:

These restricted files are maintained in locked file cabinets. Access to automated records is protected through a computer security system, file encryption, and/or password protection.

Retention and disposal:

a. Computer reports.

(1) All personal information on initial data collection reports and master file/tape will be destroyed (or erased) when 3 years old.

(2) Subsequent reports containing affirmative identifications become part of research case records.

b. Research case records (copies of records from other systems—includes computer reports, paper records, and correspondence).

(1) If research determines nonapplicability, destroy by burning or shredding 6 months after such determination is made.

(2) If research determines applicability, research records then become (a) part of an investigative case file and fall within system USPS 080.010, Inspection Requirements Investigative File System (refer to USPS 080.010 for retention and disposal instructions), or (b) a remuneration case file which is maintained for 2 years and destroyed by burning or shredding.

Extra copies of research records are destroyed at the time a remuneration or investigative case file is created.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, D.C. 20260-4200.

Notification procedure:

Employees or former employees wishing to know whether information about them is maintained in this system of records should address inquiries to the System Manager.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is obtained from Postal Service injury compensation case files, payment records and employment records as found in USPS Privacy Act Systems: USPS 050.020, 120.070, and 120.098; Social Security Administration death files; and pertinent Federal health benefit carrier's claim/payment files.

Systems exempted from certain provisions of the act:

Records or information in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a(j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 120.100

System name:

Personnel Records—Performance Awards System Records, 120.100.

System location:

USPS Personnel Division and Inspection Service, Headquarters; Regional and Divisional Offices of Inspection Service; Division Offices; Post Offices; Bulk Mail Centers; Postal Data Centers.

Categories of individuals covered by the system:

USPS employees.

Categories of records in the system:

Name of recognized employee and pay location, related records including letter of commendation and appreciation, correspondence or memoranda pertaining to awards from other government agencies or private organizations, length of service awards, incentive awards, recommendations, nominations, and evidence of payment made.

Authority for maintenance of the system:

Chapter 45 of Title 39, U.S.C.

Purpose(s):

To control and measure the effectiveness of the Awards Program under which cash awards are given to recognize and reward employees for special acts, services, or efforts in the public interest related to USPS employment or that improve USPS effectiveness.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Information is summarized and furnished to the Office of Personnel Management annually, to be included in the OPM report on incentive awards to the President.

2. Disclosure may be made to the news media from the record of an individual regarding his/her receipt of an employee award when the information is of news interest and consistent with the public's right to know.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape and printed forms.

Retrievability:

Employee name, region where employed, pay location and Division.

Safeguards:

Physical security.

Retention and disposal:

a. Incentive Award Files—Destroy 4 years from date of approval or disapproval.

b. Length of Service Award Files—Destroy when 1 year old.

c. Non-USPS Awards—Destroy 2 years after date of award.

d. Letter of Commendation and Appreciation (excluding copies filed in the OPF)—Destroy 2 years from date of letter.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, D.C. 20260–4200.

Notification procedure:

Employees wishing to know whether information about them is maintained in this system of records should address inquiries to the head of the facility where employed. Headquarters employees should submit requests to the SYSTEM MANAGER. Inquiries should contain full name and pay location.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is obtained in summary printouts supplied to each region by Postal Data Centers.

USPS 120.110

System name:

Personnel Records—Preemployment Investigation Records, 120.110.

System location:

USPS Facilities; Regional and National Headquarters (all records except laboratory reports containing drug test results and related medical records which are maintained in Postal Service medical facilities and designee offices.)

Categories of individuals covered by the system:

Postal employees and applicants for employment.

Categories of records in the system:

Replies from character references and former employers, local police records, drug screening records including laboratory results, drug history records and other investigative reports used to determine suitability for employment. Other records filed with these are: Office of Personnel Management records (privacy system—OPM/CENTRAL–9) compiled through a National Agency Check and Inquiry (NACI) and forwarded to the USPS for assistance in making a hiring decision.

Authority for maintenance of the system:

39 USC 410(b), 1001.

Purpose(s):

To determine suitability for employment.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

With the exception noted below, general routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Note: Only general routine use B applies to drug screening records and laboratory results identified in the "Categories of Records in the System" section of this notice.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Preprinted forms and correspondence.

Retrievability:

Alphabetically by name.

Safeguards:

Laboratory results of drug testing are stored in locked file cabinets under the supervision of medical personnel. Other information is stored in locked file cabinets accessible to those with an appropriate security clearance.

Retention and disposal:

a. Destroy 5 years from the date the employee is initially found suitable for employment or 5 years from the date action was taken to deny or terminate employment.

b. NACI reports are retained in the same fashion as local investigative records.

System manager(s) and address:

APMG, Employee Relations Department, Headquarter, Washington, D.C. 20260–4200.

Notification procedure:

a. Local Investigative records—Apply to the head of the postal facility where employed. Headquarters employees should submit requests to the System manager. b. OPM NACI reports—Apply to the Office of Personnel Management as instructed by privacy system OPM/CENTRAL-9.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is obtained primarily from local police records, former employers, and character references, and drug testing laboratory.

Systems exempted from certain provisions of the act:

Reference 39 CFR 266.9 for details.

USPS 120.120

System name:

Personnel Records—Personnel Research and Test Validation Records, 120.120.

System location:

USPS Headquarters, Washington, D.C. (paper records only); National Test Administration Center, Alexandria, VA, and contractor sites (paper and ADP records); and National Information Systems Development Center, Raleigh, NC and Minneapolis Postal Data Center, Minneapolis, MN (ADP records only).

Categories of individuals covered by the system:

Applicants for postal employment and USPS employee applicants for reassignment and/or promotion; current employees whose work records or solicited responses are involved in research projects.

Categories of records in the system:

Records are hard-copy (paper, including scannable answer sheets) or ADP (magnetic tape, disk) and may contain the following information, depending on personnel research or test validation study: Applicant and research subject demographic data, including race, sex, national origin, employment status, date of birth and geographical location; and identification data, including name, social security number or respondent identification code; project identification codes, batch codes, and information collection dates; applicant and research subject responses to, or evaluation on, personnel assessment instruments; applicant and research data and laboratory data and analysis, concerning performance, work suitability, physical condition, disciplinary incidents, awards, attendance, training or other work-related data, when used in conjunction with personnel research; and job analysis data, including respondent identification and evaluation of job activities and employee qualifications.

Authority for maintenance of the system:

39 U.S.C. 401.1001.

Purpose(s):

To support research and development efforts in the construction and use of personnel assessment instruments (such as tests and performance evaluation forms); the analysis of employee behavior, characteristics, interests, attitudes, and physical condition affecting productivity; and the evaluation and improvement of personnel management practices. Data are collected when specific research projects are undertaken (such as pilot tryouts of personnel selection methods and job attitude surveys). Race and national origin data are used to evaluate any adverse impact of the selection process. Use of these race and national origin data is limited to research projects and test validation conducted by the Postal Service.

No individual personnel decisions are made in the use of these research records. Many data are collected under conditions ensuring their confidentiality which will be protected. Personnel information in this system of records is used primarily by the personnel research staff of the Office of Selection and Evaluation of the U.S. Postal Service. Reports and analyses that result from use of this system, or use of this system in conjunction with system USPS 120.121, are based on aggregated data, with no identification of the individuals involved.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, and L listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. To disclose information to the Equal Employment Opportunity Commission for use in determining the existence of adverse impact in the total selection process, in reviewing allegations of discrimination, or in assessing the status of compliance with Federal law.

2. Disclosure of information about applicants for employment with the Postal Service may be made to the Selective Service System (SSS) under approved computer matching efforts in which either the Postal Service or SSS acts as the matching agency. Disclosure will be limited to only those data elements considered relevant to identify individuals eligible for registration under the Military Selective Service Act (50 U.S.C. App. 451 et seq.), to determine whether those individuals have complied with registration requirements, and to enforce compliance when necessary.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files, magnetic tape, and disks.

Retrievability:

Depending on the research project, employee name, social security number, batch number, of employee's date of examination, location, or respondent identification code.

Safeguards:

These records are maintained in closed file cabinets in a secure facility. Access to computer data is restricted to authorized personnel.

Retention and disposal:

Records are maintained for five years. Paper records are destroyed by shredding and computer records by erasing.

a. Hard Copy—Paper response forms (scannable answer sheets, booklets) are destroyed upon transcription to magnetic media, usually within six months of collection. Answer sheets collected pursuant to an examination are destroyed 6 months after processing.

b. Magnetic Tape—Retention is dependent upon the type of research project and is not to exceed 30 years—DO NOT TRANSFER TO A FEDERAL RECORDS CENTER.

System manager(s) and address:

APMG, Employee Relations, Department, Headquarters, Washington, DC 20260-4200.

Notification procedure:

Persons wishing to know whether this system of records contains information on them should address inquiries to the head of the examination center of the facility that administered the test; in case of research studies involving information not collected pursuant to an examination, persons should address inquiries to the Director, Office of Selection of Evaluation. Inquiries should contain full name, social security number, date of examination or study, examination number or project name, and place of participation in the examination or study.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Applicants or research subjects, or others providing evaluations or work-related data on subjects as part of a research study. Other systems from which information is accessed include records relating to: Collection and Delivery, EEO, Finance, Inquiries and Complaints, Inspection Requirements, Personnel, Statistical Systems and Litigation.

Systems exempted from certain provisions of the act:

Reference 39 CFR 266.9 for details.

USPS 120.121

System name:

Personnel Records—Applicant Race, Sex, National Origin and Disability Status Records, 120.121.

System location:

USPS National Test Administration Center, Alexandria, VA (paper and ADP records); and USPS National Information System Development Center, Raleigh, NC; and Minneapolis Postal Data Center, Minneapolis, MN (ADP records only).

Categories of individuals covered by the system:

Applicants for USPS examinations, including USPS employees.

Categories of records in the system:

Individual's name, Social Security Number, date of birth, lead office installation number, race, sex, national origin and disability status data.

Authority for maintenance of the system:

39 U.S.C. 401, 101 and 5 U.S.C. 7201.

Purpose(s):

To provide the Postal Service with the ability to assess the impact of personnel selection decisions on applicants in each racial, sex, national origin and disability category.

Note: These data are maintained only on those applicants who voluntarily provide it and under conditions assuring that the individual's self-identifications as to race, sex, national origin, and disability status does not accompany that individual's application when it is under consideration by a selecting official. Data are collected via a research questionnaire on an applicant-by-applicant basis and are used to produce summary descriptive statistics and analytical studies to evaluate personnel/organizational measurement and selection methods; to implement and evaluate USPS affirmative action programs; to determine any adverse impact on the overall personnel selection process; to identify categories of individuals for personnel research and for related work force studies.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, and L listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. To disclose information to the Equal Employment Opportunity Commission for use in determining the existence of adverse impact in the total selection process, in reviewing allegations of discrimination, or in assessing the status of compliance with Federal law.

2. Disclosure may be made in response to the order of a court of competent jurisdiction.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files, magnetic tape and disks.

Retrievability:

Name and Social Security Number.

Safeguards:

Records are maintained in lockable filing cabinets in a secured room. Access to automated data is restricted by computer passwords.

Retention and disposal:

a. Hard Copy—Destroy 6 months after processing.

b. Magnetic Tape—Maintain for 30 years—DO NOT TRANSFER TO A FEDERAL RECORDS CENTER.

c. Statistical Records (without individual identifiers)—Maintained for as long as needed for the purpose of conducting longitudinal studies.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, D.C. 20260-4200.

Notification procedure:

Individuals wishing to know whether this system of records contains information about them should address inquiries to the head of the examination center of the facility that administered the test. Inquiries should be written, signed, and contain full name, Social Security Number, type of examination, examination number, and the date and place of participation in the examination.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is provided by applicants taking examinations.

USPS 120.130

System name:

Personnel Records—Postmaster Selection Program Records, 120.130.

System location:

USPS Divisions and Management Sectional Centers.

Categories of individuals covered by the system:

USPS employees and external applicants desiring to be considered for appointment to a Postmaster position.

Categories of records in the system:

Name, address, date of birth, social security number, education summary, postal background, other employment experience, Postal Inspector's Investigative Report, and other pertinent personal information.

Authority for maintenance of the system:

39 U.S.C. 401, 1001.

Purpose(s):

To provide USPS selecting officials and appointing officials with decision-making information to determine the best qualified candidates for appointment to postmaster positions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, and L listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed, typed or handwritten forms.

Retrievability:

Applicant's name and post office for which application was made.

Safeguards:

Locked file cabinets in a secured facility with access restricted to authorized personnel.

Retention and disposal:

Postmaster vacancy files are retained in the selecting official's organization for 2 years and then destroyed, unless an audit, investigation, or appeal is pending. Records are destroyed by shredding or burning.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, DC 20260-4200.

Notification procedure:

Employees wishing to know whether this system of records contains information on them should address inquiries to the Field Division General Manager/Postmaster of the Division in which the application was made. Inquiries should contain full name, the postal facility to which application was made, title and place of employment.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is obtained from the employee, postal background personnel data, and from forms completed by the employee.

Systems exempted from certain provisions of the act:

Reference 39 CFR 266.9 for details.

USPS 120.140

System name:

Personnel Records Employee Assistance Program (EAP) Records, 120.140.

System location:

EAP offices, and Employee/Labor Relations Information Center, Chicago, IL.

Categories of individuals covered by the system:

USPS employees who volunteer for or are referred to the Program which is established primarily to help postal employees in their efforts to recover from alcohol and drug abuse; and applicants for EAP counselor positions.

Categories of records in the system:

Employee name, personal information needed to assist employee in a program of recovery, information about employee's referral, progress, participation (number of counselling contacts and leave usage while a Program participant); names of applicants for counselor positions, and related résumés, applications, and interview forms.

Authority for maintenance of the system:

39 U.S.C. 401.

Purpose(s):

To select and provide Counselors with information needed to maintain their caseload and counsel individuals under the Program. Also used as a management data source for statistical reporting on the Program.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms and paper files. Sick leave and Leave Without Pay information is stored on computer media.

Retrievability:

Employee name and case number.

Safeguards:

These restricted files are maintained in lock file cabinets with access limited to EAP personnel and in secured facilities. Automated records are protected through computer password security and encoding of personal identifiers.

Retention and disposal:

a. Supervisor/Coordinator/Specialist Applications and Interviews—Destroy 1 year from date of application.

b. Historical Case Record Cards—Destroy 25 years from the close of case to which card corresponds.

c. Case Files—(1) Deceased Persons—Destroy immediately. (2) Persons completing the Program—Destroy 3 years from the date of completion. (3) Persons dropped from the Program for reasons of termination, retirement, or withdrawal—Destroy 1 year from date of cutoff. DO NOT TRANSFER TO A FEDERAL RECORDS CENTER.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, DC 20260–4200.

Notification procedure:

Employee participants and applicants for counselor positions in the Program should address inquiries to the head of the facility where participating or making application for counselor positions in the Program. Inquiries should contain full name and location of employment. Headquarters employees should submit requests to the SYSTEM MANAGER.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

The participating employee, EAP counselor and the referring source.

USPS 120.151

System name:

Personnel Records—Recruiting, Examining, and Appointment Records, 120.151.

System location:

U.S. Postal Service personnel offices and/or other offices within Postal Service facilities authorized to engage in recruiting or examining activities or to make appointments to positions.

Categories of individuals covered by the system:

Job applicants.

Categories of records in the system:

Personal and professional résumés, personal applications, test scores, medical assessments, academic transcripts, letters of recommendation, employment certifications, medical records, and registers of eligibles. Restricted medical records are accumulated by personnel offices prior to transmittal to medical facilities. The above records may include such information as name of applicant, post office of application, social security number, date of examination, employment and education background, estimates of potential, and recommendations.

Authority for maintenance of the system:

39 U.S.C. 401.1001.

Purpose(s):

To provide managers, personnel officials and medical officers with information for recruiting and recommending appointment of qualified persons.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files, index cards, magnetic tape, punched cards, preprinted forms and computer printed reports.

Retrievability:

Job applicant name and/or social security number.

Safeguards:

Paper records are maintained in closed filing cabinets under scrutiny of designated managers. Computer records are maintained in secured facilities.

Retention and disposal:

a. Applications for Employment—Dispose of upon expiration of eligibility, unless extended for an additional year at the request of the eligible person. b. Applications for Master Instructor Positions—Destroy 3 years after date of selection. c. Employment Registers:

(i) Notice of Rating Card—Forward to applicant.

(ii) Alpha and numeric Register Cards—Destroy when 10 years old. d. Outside Applicant Files:

(i) Successful Applicant Files—Move PS 50B or PS 52 as appropriate, to the Official Personnel Folder. Dispose of all other forms and papers when 6 months old.

(ii) Unsuccessful Applicant File—Dispose of when 1 year old.

System manager(s) and address:

APMG Employee Relations Department, Headquarters, Washington, D.C. 20260–4200.

Notification procedure:

Persons wishing to know whether information about them is maintained in this system of records should address inquiries to the head of the facility to which job application was made. Inquiries should contain full name, social security number, and, if applicable, approximate date of application submitted and residence.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Individual, school officials, former employers, supervisors, named references, Veterans Administration and State Division of Vocational Rehabilitation Counselors.

Systems exempted from certain provisions of the act:

Reference 39 CFR 266.9 for details.

USPS 120.152

System name:

Personnel Records—Career Development and Training Records, 120.152.

System location:

Postal Education and Development Centers (PEDCs) and other facilities within the Postal Service where career development training, and curriculum evaluation activities are authorized.

Categories of individuals covered by the system:

Current and former postal employees.

Categories of records in the system:

Career development records, applications for and records of postal and non-postal training, records containing student and manager evaluations of training received, examination and skills bank records, and scheme examination records (including dates of examination due and taken, and results). Information within these records may include name, social security number, special qualifications, skills or knowledge, career goals, education, work histories or summaries, nominations, recommendations, and copies of personnel actions, certificates and other material contained within USPS 120.070.

Authority for maintenance of the system:

39 U.S.C. 401.1001.

Purpose(s):

To provide managers, supervisors, and training and development professionals with decision-making information for employee career development, training, and assignment.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files, index cards, magnetic tape, punched cards, preprinted forms and computer printed reports.

Retrievability:

Employee name and social security number.

Safeguards:

Paper records are maintained in closed filing cabinets under scrutiny of designated managers. Computer records are maintained in secured facilities.

Retention and disposal:

a. Management Training Program Records: (1) Trainee's Individual Files—Destroy 5 years from the date trainee leaves the program. (2) Trainee Travel Records—Destroy 1 year from date trainee leaves program. (3) Travel files of postal manager in connection with program—dispose of when 1 year old.

b. Nomination for Executive Leadership Files—Destroy 1 year from date of selection.

c. Employee Training Files—Destroy 5 years from date of training.

d. Case Examination Records—Destroy 1 year from date of separation of employee.

Certain records of examinations are maintained as part of USPS 120.120, Personnel Records—Personnel Research and Test Validation Records.

System manager(s) and address:

APMG, Employee Relations Department, Washington, D.C. 20260–4200; APMG, Facilities Department, Washington, D.C. 20260–6400; and APMG, Philatelic and Retail Services Department, Washington, D.C. 20260–6700.

Notification procedure:

Current and former field employees wishing to know whether information about them is contained in this system of records should address inquiries to the head of the appropriate employment facility. Headquarters employees should submit requests to the System Manager. Inquiries should contain full name and social security number.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is obtained from the subject, subject's employment records, and his/her supervisor.

Systems exempted from certain provisions of the act:

Reference 39 CFR 266.9 for details.

USPS 120.153

System name:

Personnel Records—Individual Performance Evaluation/Measurement, 120.153.

System location:

U.S. Postal Service facilities where individual performance evaluation/measurement activities are conducted.

Categories of individuals covered by the system:

Current and former postal employees.

Categories of records in the system:

Individual performance evaluation and measurement records that include audit sheets, performance ratings, self-appraisals, statements of goals and objectives, and related correspondence.

Authority for maintenance of the system:

39 U.S.C. 401.1001.

Purpose(s):

To provide managers and supervisors with decision making information for training needs, promotion and assignment considerations, or other employee/job related actions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files, index cards, magnetic tapes, punched cards, preprinted forms and computer printed reports.

Retrievability:

Employee name and social security number.

Safeguards:

Paper records are maintained in closed filing cabinets under scrutiny of designated managers. Computer records are maintained in secured facilities.

Retention and disposal:

a. Merit Performance Evaluation Files—Destroy when 5 years old.

b. Individual Performance Evaluation/Measurement Records—Destroy when 10 years old or when no longer useful, whichever is sooner. DO NOT TRANSFER TO A FEDERAL RECORDS CENTER.

System manager(s) and address:

Assistant Postmaster General having jurisdiction over the functional or administrative performance evaluation/measurement procedure.

Notification procedure:

Current and former field employees wishing to know whether information is maintained about them in this system of records should address inquiries to the head of the appropriate employment facility. Headquarters employees should submit requests to the System Manager. Inquiries should contain full name and social security number.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is obtained from the subject, the subject's employment records and his/her supervisor, or program director.

USPS 120.170

System name:

Personnel Records—Safe Driver Award Records, 120.170.

System location:

Motor Vehicle Offices of Postal Facilities.

Categories of individuals covered by the system:

USPS employees who are full-time drivers of postal vehicles.

Categories of records in the system:

Contain employees' name, yearly Safe Driver Awards record of any accidents in which employee is involved, and evaluations by Safe Driver Award Committee.

Authority for maintenance of the system:

39 U.S.C. 401.

Purpose(s):

To provide information for awarding Safe Driver Awards.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the

Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. To furnish information to the National Safety Council for award purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Index cards.

Retrievability:

Alphabetically by name of employee.

Safeguards:

Kept in closed file cabinet with limited access.

Retention and disposal:

Destroy 4 years from date of separation, expiration of license, recision of authorization, or transfer of driver into a nondriving status, or other transfer (unless requested by new installation or agency).

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, D.C. 20260–4200.

Notification procedure:

Employees wishing to know whether information about them is maintained in this system of records should address inquiries to the head of the facility where employed. Headquarters employees should submit the request to the SYSTEM MANAGER. Inquiries should contain full name.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is obtained from the driver and from USPS accident reports.

USPS 120.180

System name:

Personnel Records—Skills Bank (Human Resources Records), 120.180.

System location:

Maintained by various postal facilities as determined by management.

Categories of individuals covered by the system:

Different categories of USPS employees, women, PCES and employees in various job categories.

Categories of records in the system:

Employee name, social security number, address, job position, sex, educational background, work history, salary history, skills, licenses, language, career preferences and goals, geographical preferences, special achievements, merit awards, project assignments, benefits, and other personal information. (The various systems in existence may contain more or less information than specified herein.)

Authority for maintenance of the system:

Public Law 92-261, 39 USC 401, 1001.

Purpose(s):

Used by USPS management to make and track employee job assignments, to place employees in new positions, and to assist in career planning and training in general; the system is also used to provide statistics for personnel and workload management.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Preprinted forms, magnetic tape and disk files, computer reports, and microfiche.

Retrievability:

Name and social security number.

Safeguards:

Locked file cabinets, controlled access, computer password authentication, magnetic tape library, physical security.

Retention and disposal:

Paper records will be destroyed by shredding or burning 1 or 2 years after information is successfully entered into the system depending upon the particular program involved. Automated information will be erased 1 year after employee is terminated or is no longer in the particular job category.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, D.C. 20260–4200; and Chief Postal Inspector, Postal Inspection Service, Headquarters, Washington, D.C. 20260–2100.

Notification procedure:

Employees wishing to know whether such a system exists at their place of employment or whether information about them is maintained in this system of records should address inquiries to the head of the facility where employed. Headquarters employees should submit requests to the System Manager. Inquiries should contain full name, social security number, and place of employment.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is obtained directly from employee and USPS personnel forms and reports.

Systems exempted from certain provisions of the act:

The USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a (j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 120.190

System name:

Personnel Records—Supervisors' Personnel Records, 120.190.

System location:

Any Postal Service facility.

Categories of individuals covered by the system:

USPS Employees.

Categories of records in the system:

Records consist of summaries or excerpts from the following other USPS personnel records systems: 120.036, 120.070, 120.151, 120.152, 120.153, 120.180, 120.210; as well as records of discipline. In addition copies of other Postal Service records and records originated by the supervisor may be included at the supervisor's discretion.

Authority for maintenance of the system:

39 U.S.C. 401, 1001.

Purpose(s):

To enable supervisors to efficiently manage assigned personnel.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Records of discipline may become part of USPS 120.070 and would therefore be subject to disclosure under the routine uses of that system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper files, index cards, magnetic tape and disk, computer printouts.

Retrievability:

Employee name.

Safeguards:

Paper documents/index cards are locked in supervisor's desk or filing cabinets. Computer readable media are maintained in secured data processing facilities.

Retention and disposal:

a. Counseling Records—Destroy when 1 year old if there has been no disciplinary action initiated against the employee during that period.

b. Letters of Warning—Destroy when 2 years old if there has been no disciplinary action initiated against the employee during that period.

c. All Other Records—Dispose of immediately upon termination of supervisor/employee relationship.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, D.C. 20260-4200.

Notification procedure:

Employees wishing to know whether this system of records contains information on them should address inquiries to the head of the facility where employed. Headquarters employees should submit requests to the System Manager.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Other personnel records systems, supervisor notes, employees and postal customers.

Systems exempted from certain provisions of the act:

Records of information in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a (j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 120.210

System name:

Personnel Records—Vehicle Maintenance Personnel and Operators Records, 120.210.

System location:

Vehicle Service Operations at Post Offices, Sectional Centers, Division Offices, Regional Offices, Headquarters, Bulk Mail Centers and Postal Data Centers.

Categories of individuals covered by the system:

USPS employees.

Categories of records in the system:

Records relating to individual employee operation of Postal Service-owned or leased vehicles, including employee name, age, length of service, physical condition, vehicle accidents, driving citations, safety awards, driver license revocations and suspensions, driving habits, vehicle training, results of driving tests; and qualifications to drive vehicles; employee workload, work schedule, performance analysis and work habits.

Authority for maintenance of the system:

39 U.S.C. 401.

Purpose(s):

To provide local post office managers, supervisors and Manager of Fleet Operations with information to adjust workload, change schedules, change the type of equipment operated, change lists of equipment assigned to employee, and used as a basis for corrective action or safe driving awards.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. To provide GSA and USPS driver credentials.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms, and computer tapes.

Retrievability:

Employee name, vehicle number, route number, work order number, and facility name.

Safeguards:

Records are maintained in closed file cabinets in secured facilities. Access to computer data is restricted to authorized personnel.

Retention and disposal:

Destroy 4 years from date of separation, transfer (unless requested by new installation or agency), expiration of license, recision of authorization, or transfer of driver into a nondriving status.

System manager(s) and address:

APMG, Delivery, Distribution & Transportation Department, Headquarters, Washington, DC 20260-7200.

Notification procedure:

Employees wishing to know whether information about them is maintained in this system of records should address inquiries to the head of the facility where employed. Inquiries should contain employee's full name, social security number, route number, work station and facility where employed.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

The employee, medical doctors, driver examiner/instructor state vehicle departments and supervisors.

Systems exempted from certain provisions of the act:

Records or information in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a(j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 120.220

System name:

Personnel Records—Arbitration Case Files, 120.220.

System location:

Office of Labor Law, Law Department, National Headquarters; Office of Field Legal Services, Regions; and Field Divisions.

Categories of individuals covered by the system:

Employees involved in labor arbitration.

Categories of records in the system:

Documents relating to proceedings when the USPS is a party in labor arbitration cases. Includes disciplinary and contract grievances, and appeals of bargaining unit employees, formal pleadings and memoranda of law, excerpts from grievance files, supporting documents, notes and case analyses prepared by Postal Service advocates and other personnel, and correspondence and telephone records.

Authority for maintenance of the system:

39 U.S.C. 401, 409(d).

Purpose(s):

To provide advice and representation to the Postal Service in labor arbitration cases.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Information contained in litigation records is public to the extent that the documents have been filed in a court or public administrative proceeding, unless the court or other adjudicative body has ordered otherwise. Such public information, including information concerning the nature, status and disposition of the proceeding, may be disclosed to any person, unless it is determined that release of specific informa-

tion in the context of a particular case would constitute an unwarranted invasion of personal privacy.

2. When considered appropriate, records in this system may be referred to a bar association or similar Federal, state or local licensing or regulatory authority for possible disciplinary action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Case records are stored in paper folders and on magnetic tape or disk in automated office equipment.

Retrievability:

Name of litigant(s).

Safeguards:

Folders containing paper documents are kept in lockable filing cabinets within secured buildings or areas under the general scrutiny of authorized personnel. Computer terminals and tape/disk files are located in a secured area and access is restricted to personnel having an official need.

Retention and disposal:

a. Disciplinary Cases (to include removal) and contract application cases—(1) National Level—Destroy 15 years from date of final decision. (2) Field Level—Destroy 5 years from date of final decision.

b. Contract Interpretation Cases (National Level)—Transfer to a Federal Records Center when 5 years old; destroy 15 years from date of expiration of the agreement.

c. Court Actions—Transfer to a Federal Courts Center when 5 years old, destroy 15 years from date of final agreement.

System manager(s) and address:

APMG, Labor Relations Department,
Headquarters, Washington, DC 20260-4100.

Notification procedure:

Persons wishing to determine whether this system of records contains information about them should write to the System Manager and provide name, case number, if known, and the approximate date the action was initiated.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Note—Review of requests seeking amendment of records which have previously been the subject of a judicial or quasi-judicial administrative action will be limited in scope. The amendment provisions of the Act are not intended to permit the alteration of evidence presented in the course of an adjudication, nor are they intended to provide a means for collaterally attacking the finality of a judicial or administrative decision. Review of requests for amendment of adjudicative records will be restricted to determining whether the records accurately reflect the action of the judicial or administrative body ruling on the case, and will not include a review of the merits of the action, determination, or finding.

Record source categories:

(a) Employees involved in labor arbitration cases; (b) Counsel(s) or other representative(s) for parties involved in the arbitration case other than Postal Service; (c) Arbitrators; (d) Other individuals involved in labor arbitration cases. Source documents include the formal case file, investigative reports, and other records relevant to the case.

Systems exempted from certain provisions of the act:

Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a(j) and (k). See 39 CFR 266.9. To the exent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 120.230

System name:

Personnel Records—Adverse Action Appeals (Administrative Litigation Case Files) 120.230.

System location:

Office of Labor Law, Law Department, National Headquarters; Office of Field Legal Services, Regions; and Field Divisions.

Categories of individuals covered by the system:

Employees involved in Veterans' Appeals and other adverse action appeals.

Categories of records in the system:

(a) Formal pleadings and memoranda of law; (b) excerpts from disciplinary or adverse action files and other relevant documents; (c) Miscellaneous notes and case analyses prepared by Postal Service advocates; and (d) Correspondence and telephone records.

Authority for maintenance of the system:

39 U.S.C. 401, 409(d).

Purpose(s):

This information is used to provide advice and representation to the Postal Service.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Information contained in litigation records is public to the extent that the documents have been filed in a court or public administrative proceeding, unless the court or other adjudicative body has ordered otherwise. Such public information, including information concerning the nature, status and disposition of the proceeding, may be disclosed to any person, unless it is determined that release of specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

2. When considered appropriate, records in this system may be referred to a bar association or similar Federal, state or local licensing or regulatory authority for possible disciplinary action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Case records are stored in paper folders and on magnetic tape or disk in automated office equipment.

Retrievability:

Name of litigant(s).

Safeguards:

Folders containing paper documents are kept in lockable filing cabinets within secured buildings or areas under the general scrutiny of authorized personnel. Computer terminals are located in a secured area, and access is restricted to personnel having an official need.

Retention and disposal:

Destroy 7 years from date of final decision.

System manager(s) and address:

APMG, Employee Relations Department, Headquarters, Washington, DC 20260-4200.

Notification procedure:

Persons wishing to determine whether this system of records contains information about them should write to the System Manager and provide their name, case number, if known, and the approximate date the action was instituted.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Note—Review of requests seeking amendment of records which have previously been the subject of a judicial or quasi-judicial administrative action will be limited in scope. The amendment provisions of the Act are not intended to permit the alteration of evidence presented in the course of an adjudication, nor are they intended to provide a means for collaterally attacking the finality of a judicial or administrative decision. Review of requests for amendment of adjudicative records will be restricted to determining whether the records accurately reflect the action of the judicial or administrative body ruling on the case, and will not include a review of the merits of the action, determination, or finding.

Record source categories:

(a) Employees involved in Veterans Appeals and other adverse action appeals; (b) Counsel(s) or other representative(s) for parties in administrative litigation other than Postal Service; (c) Other individuals involved in appeals. Source documents include the formal case file, investigative reports, and other records relevant to the case.

Systems exempted from certain provisions of the act:

Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a (j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 120.240

System name:

Personnel Records—Garnishment Case Files, 120.240.

System location:

Finance Offices within USPS facilities and the Minneapolis, Postal Data Center.

Categories of individuals covered by the system:

Employees whose wages are garnished to satisfy a financial obligation.

Categories of records in the system:

Employee name, social security number, address, employing facility, name and address of the recipient of the deduction, amount of the debt and deduction, and other data relevant to the garnishment of an employee's wages in payment of alimony, child support, or commercial debts, or state or local tax levies. Records within case files may also include notices to employee of the intent to withhold wages, court orders, worksheets for calculating or processing garnishments, and other correspondence/documents relating to the indebtedness.

Authority for maintenance of the system:

39 U.S.C. 401, 409(d).

Purpose(s):

To process garnishment of a postal employee's wages to satisfy a debt related to child support, alimony, a commercial obligation, or a state or local tax levy.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper documents and computer tape/disk.

Retrievability:

Employee name.

Safeguards:

Paper and automated records are subject to controlled access.

Retention and disposal:

Postal Data Center records are maintained for six months after the debt is satisfied or cancelled; Post Office records are maintained for 3 years after the debt is satisfied or cancelled. Paper records are shredded and computer tape/disk records are erased at the end of retention period.

System manager(s) and address:

Assistant Postmaster General, Department of the Controller, Headquarters, Washington, D.C. 20260–5010.

Notification procedure:

Employees wishing to know whether this system of records contains information about them should submit requests to the facility head where employed. Headquarters employees should submit requests to the System Manager. Inquiries should include the employee's full name and case number, if known.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

The indebted employee, court related documents, and other records relating to the debt.

USPS 130.010

System name:

Philately—Benjamin Franklin Stamp Club Coordinators and Project Leaders List, 130.010.

System location:

Philatelic and Retail Services Department Headquarters, and Philatelic Sales Division, Merrifield, VA.

Categories of individuals covered by the system:

Adult Coordinators of Stamp Clubs for youth groups.

Categories of records in the system:

Name and address of club coordinators.

Authority for maintenance of the system:

39 U.S.C. 401.404.

Purpose(s):

To be used as an adjunct to a philatelic program by Sectional Center personnel, Division personnel, and individual postmasters as follows:

1. Assisting coordinators in forming stamp Clubs;
2. Making contact with Clubs to assist in program presentation and USPS cooperation at stamp shows and philatelic exhibits;
3. Responding to philatelic information requests;
4. Determining USPS needs for films, graphics, and publications related to philately; and
5. Mailing newsletters to Stamp Club coordinators.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, and J listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer tape/disk.

Retrievability:

Name of individual and ZIP Code within the club or stamp group with which the individual is associated.

Safeguards:

Computer media are stored in a fire resistant and secured facility with controlled access.

Retention and disposal:

Records are maintained on a year-to-year basis subject to reverification each year.

System manager(s) and address:

APMG, Philatelic and Retail Services Department, Washington, DC 20260–6700.

Notification procedure:

Persons wishing to know whether information about them is maintained in this system of records should address inquiries to the System Manager. Inquiries should contain full name, address, and the club or stamp group with which the requester is associated.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is obtained from the individual to which the record refers.

USPS 130.020

System name:

Philately—Educators Stamp Fun Mailing Lists, 130.020.

System location:

Philatelic and Retail Services Department, Headquarters.

Categories of individuals covered by the system:

Elementary school teachers in schools around the country.

Categories of records in the system:

Teacher's name, address of school, number of students in the school, number of known stamp collectors in the school, existence of a stamp club.

Authority for maintenance of the system:

39 USC 401, 404.

Purpose(s):

To be used by the Office of Stamps to mail periodic issues of "Stamp Fun" and related materials.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, and J listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape.

Retrievability:

Coding number or school teacher's name.

Safeguards:

Controlled access to data.

Retention and disposal:

Indefinitely with annual updates.

System manager(s) and address:

APMG, Philatelic and Retail Services Department, Headquarters, Washington, D.C. 20260–6700.

Notification procedure:

Persons wishing to know whether information about them is maintained in this system of records should address inquiries to the above SYSTEM MANAGER. Inquiries should include full name and name and address of school.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Return responses from national mailing of "Stamp Fun."

USPS 130.040

System name:

Philately—Philatelic Product Sales and Distribution 130.040.

System location:

Philatelic and Retail Services Department, Headquarters, and at a contractor site.

Categories of individuals covered by the system:

Customers who have initiated correspondence expressing an interest in philately by (1) responding to various philatelic product sales promotion programs by submitting order forms, business reply cards, or cut outs from posters and promotional literature, (2) providing postal clerks with name and address information to receive future philatelic product announcements, (3) opening subscription accounts for philatelic products, or (4) requesting products in unsolicited correspondence, such as letters.

Categories of records in the system:

Customer/subscriber name and account number, address, funds on deposit, remittance type and amount order/product specifications, order history; also, special lists identifying individuals who have submitted bad checks, and special services customers/subscribers, and individuals who have registered multiple service complaints.

Authority for maintenance of the system:

39 U.S.C. 401, 404.

Purpose(s):

(1) To operate a subscription service or services for customers who remit money for a particular philatelic product or products;

(2) To maintain a file to send philatelic product announcements and sales literature to customers or subscribers;

(3) To serve, as a source for statistical data for research and market analysis, billing and inventory data, and mailing basis for product shipment; and

(4) To identify discrete groups of customers/subscribers for better order control and service.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, and J listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Original typed or handwritten form, or microform, and on magnetic tape or disk and computer printouts.

Retrievability:

Customer/subscriber name and number, if assigned.

Safeguards:

Paper and microform records are maintained in closed filing cabinets under general scrutiny of personnel of the Philatelic Sales Division and the Building Security Guard Force. Information on magnetic tape and disk is protected by ADP physical security, technical software and administrative security or by contractors providing similar protection subject to the audit and inspection of the USPS Inspection Service.

Retention and disposal:

ADP and microform records are maintained for three years after the individual has failed to make a purchase or has indicated no other interest. ADP records are obliterated after their period of usefulness; mircoform records are incinerated. Correspondence and other paper documents are retained for 3 years and then destroyed by shredding.

System manager(s) and address:

APMG, Philatelic and Retail Services Department, Headquarters, Washington, D.C. 20260–6700.

Notification procedure:

Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the System Manager above. Inquiries should contain full name and address.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is obtained directly from the individual as is described in "Categories of Individuals Covered by the System" above.

USPS 140.020

System name:

Postage—Postage Meter Records, 140.020.

System location:

Post Offices.

Categories of individuals covered by the system:

Postage meter users.

Categories of records in the system:

Customer name and address, postal facility setting the meter, license number, date of issuance; license application, and transaction documents.

Authority for maintenance of the system:

39 U.S.C. 401, 404.

Purpose(s):

To enable responsible administration of postage meter activities.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

To disclose identity and address of meter user and identity of agent or user to any member of the public upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

best copy available

Printed forms and computer tape/disk.

Retrievability:

Customer name and by numeric file of postage meters.

Safeguards:

Paper records and computer storage media are maintained closed file cabinets in secured facilites; automated records are protected by computer password.

Retention and disposal:

Records are maintained for 1 year after final entry or the duration of the license and then destroyed by shredding.

System manager(s) and address:

APMG, Rates and Classification Department, Headquarters, Washington, DC 20260-5300.

Notification procedure:

Persons wishing to know whether information about them is maintained in this system of records should address inquiries to the local postmaster from which license was obtained, supplying name and meter number.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is obtained from the individual and officials making entries to reflect activities.

USPS 150.010

System name:

Records and Information Management Records—Information Disclosure Accounting Records, 150.010.

System location:

Records Officer, USPS Headquarters, and records Custodians at all USPS facilities.

Categories of individuals covered by the system:

Individuals who submit inquiries and requests for information (many of which are made pursuant to the Freedom of Information Act) about the general activities of the Postal Service.

Note.—This system may contain inquiries and requests regarding information contained in other USPS systems of records that are subject to the Privacy Act. As a result, information about individuals from other systems may, when appropriate, become part of this system.

Categories of records in the system:

Name and address of requester, request letters, referral letters, internal memoranda, response letters, and copies of records requested.

Authority for maintenance of the system:

39 U.S.C. 401, 412, 5 U.S.C. 552; Pub. L. 93-502.

Purpose(s):

To enable records custodians to respond to requests from members of the public for USPS records, and to comply with the reporting requirements of the FOIA.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Records or information may be provided to any source from which the USPS requests additional information (to the extent necessary to identify the requesting individual, inform the source of the purpose of the request, or to identify the type of information requested), where necessary to obtain information relevant to the USPS' disclosure determination under the FOIA.

2. Records or information may be provided to the originating Federal agency in connection with a referral of an FOIA request to that agency for its disclosure determination.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Case records are stored in paper folders. Response letters may also be temporarily stored on magnetic disk in automated office equipment. Abbreviated or summarized information may be stored in automated equipment.

Retrievability:

Chronologically by year and alphabetically by name of the requester except, in those instances where a requester has made his request through an attorney or agent. In the latter case, the name of the attorney or agent might appear as the requester.

Safeguards:

Case files and magnetic disks are stored in lockable file cabinets. Computer access is restricted by the use of passwords. Access to all storage media is limited to personnel whose official duties require access.

Retention and disposal:

Records maintained by custodians and the Records Office are disposed of 6 years from date of final response to requester. (Files may be transferred to USPS General Counsel (FOIA Appeals Officer) upon request. When this is done, files may become a part of the Appeals Case Files—see USPS 150.015.)

System manager(s) and address:

Postal Service Records Officer, Headquarters, Washington, D.C. 20260-5010.

Notification procedure:

Persons wishing to know whether information about them is maintained in this system of records should address inquiries to the Custodian at the facility where request was sent. Inquiries should contain the full name of the person who submitted the request, or the name of the attorney who submitted the request on the person's behalf, and the date of the request.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Individuals and their attorneys who submit information/records requests; USPS officials who respond to the requests; Other sources whom the USPS believes have information pertinent to a decision on the request; Other agencies referring requests to the USPS; and pertinent records responsive to the request.

Systems exempted from certain provisions of the act:

Records or information in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a(j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 150.015

System name:

Records and Information Management Records—Freedom of Information Act Appeals and Litigation Records, 150.015.

System location:

General Administrative Law Division, Law Department, USPS Headquarters.

Categories of individuals covered by the system:

The system encompasses all individuals who submit administrative appeals or bring suit against the Postal Service under the Freedom of Information Act on account of denials of access to records maintained by the Postal Service. Note.—This system may contain inquiries and requests regarding information contained in other USPS systems of records that are subject to the Privacy Act. As a result, information about individuals from other systems may, when appropriate, become part of this system.

Categories of records in the system:

This system contains correspondence and other documents related to administrative appeals made by individuals to the General Counsel for information under the provisions of the FOIA (5 U.S.C. 552) including copies of appeal letters, appeal decisions, initial request and decision letters, internal memoranda, referral letters, and copies of records requested under the FOIA. Litigation case files may contain the aforementioned types of records as well as pleadings, memoranda of law, notes and case analyses prepared by attorneys and other personnel, and other documents incidental to the litigation.

Authority for maintenance of the system:

5 U.S.C. 552.

Purpose(s):

To enable the General Counsel to carry out his duties as appellate authority, to assist in the representation of the Postal Service in FOIA-related litigation, and to comply with the reporting requirements of the FOIA.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Records or information may be provided to the Department of Justice for its coordination of responses to requests for information, and to prepare reports required by 5 USC 552(d).

2. Records or information may be provided to a Federal agency in order to obtain advice and recommendation concerning matters on which the agency has specialized experience or particular competence that may be useful to the USPS in making required determinations under the FOIA.

3. Records or information may be provided to any source from which the USPS requests additional information (to the extent necessary to identify the requesting individual, inform the source of the purpose of the request, or to identify the type of information requested), where necessary to obtain information relevant to the USPS' disclosure determination under the FOIA.

4. Records or information may be provided to the originating Federal agency in connection with a referral of an FOIA request to that agency for its disclosure determination.

5. Appeal decision letters may be made available for public inspection and copying.

6. Information contained in litigation records is public to the extent that the documents have been filed in a court or public administrative proceeding, unless the court or other adjudicative body has ordered otherwise. Such public information, including information concerning the nature, status and disposition of the proceeding, may be disclosed to any person, unless it is determined that release of specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

7. When considered appropriate, records in this system may be referred to a bar association or similar Federal, state, or local licensing or regulatory authority for possible disciplinary action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Appeal and litigation case records are stored in paper folders. Appeal decision letters are also stored in binders and on magnetic tape or disk in automated office equipment, and are maintained for public inspection in the Headquarters Library. Abbreviated or summarized information is stored on index cards and in automated equipment.

Retrievability:

Chronologically by year; numerically by appeal number; and alphabetically, by name of the requester except in those instances where a requester has an appeal filed on his behalf by an attorney or agent. In the latter case, the name of the attorney or agent might appear as the requester appellant. Litigation case records are retrieved by the style of the civil action.

Safeguards:

Appeal and litigation case files are stored in lockable file cabinets under the general scrutiny of Postal Service attorneys. Access is limited to personnel whose official duties require access. Library copies of appeal decision letters are available for public inspection. Access to computer data is restricted to personnel having an official need for access.

Retention and disposal:

Appeal decision letters are retained indefinitely. Appeal and litigation case files are retained for ten years following the date of the final agency decision, or ten years following the final adjudication in case of a civil suit, whichever is applicable. Records are destroyed by shredding, burning, or the equivalent.

System manager(s) and address:

General Counsel, Law Department, USPS National Headquarters, Washington, D.C. 20260-1100.

Notification procedure:

Individuals wishing to determine whether this system of records contains information about them should write to the System Manager and provide the following information: the name of the person who submitted the appeal, or the name of the attorney who submitted the appeal on the person's behalf, and the year in which the appeal was made; or, when applicable, the name of the plaintiff in the civil action and the year in which the civil action was filed.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Note.—Review of requests seeking amendment of records which have previously been the subject of a judicial or quasi-judicial administrative action will be limited in scope. The amendment provisions of the Act are not intended to permit the alteration of evidence presented in the course of an adjudication, nor are they intended to provide a means for collaterally attacking the finality of a judicial or administrative decision. Review of requests for amendment of adjudicative records will be restricted to determining whether the records accurately reflect the action of the judicial or administrative body ruling on the case, and will not include a review of the merits of the action, determination, or finding.

Record source categories:

Individuals and their attorneys who submit FOIA requests and appeals; USPS officials who respond to FOIA requests; Other sources whom the USPS believes have information pertinent to a decision on the FOIA request or appeal; Other agencies referring requests to the USPS; and pertinent records from other USPS systems of records.

Systems exempted from certain provisions of the act:

Records or information in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a(j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 150.020

System name:

Records and Information Management Records—Information Disclosure Accounting Records (Privacy Act), 150.020.

System location:

Records Officer, USPS Headquarters and records Custodians at all USPS facilities.

Categories of individuals covered by the system:

Any USPS employee or citizen who makes an inquiry or request for information or amendment of a record subject to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a). Note.—This system may contain inquiries and requests regarding information contained in other USPS systems of records that are subject to the Privacy Act. As a result, information about individuals from other systems may, when appropriate, become part of this system.

Categories of records in the system:

Name and address of inquirer, other personal identifying information such as social security number and date of birth, request letters, referral letters, internal memoranda, response letters, accountings of disclosures, and copies of records at issue.

Authority for maintenance of the system:

39 U.S.C. 401; 5 U.S.C. 552a.

Purpose(s):

To enable records custodians to respond to requests from employees or members of the public for records the USPS maintains pursuant to the provisions of the Privacy Act, and to comply with reporting requirements of that Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Records or information may be provided to any source from which the USPS requests additional information (to the extent necessary to identify the requesting individual, inform the source of the purpose of the request, or to identify the type of information requested), where necessary to obtain information relevant to a USPS decision concerning a Privacy Act request.

2. Records may be disseminated to a Federal agency which originally furnished the records for the purpose of permitting a decision as to access or correction to be made by that agency, or for the purpose of consulting with that agency as to the propriety of access or correction.

3. Records or information may be disseminated to any appropriate Federal, State, local, foreign agency or other appropriate source for the purpose of verifying the accuracy of information that is the subject of an individual's request for amendment or correction.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Case records are stored in paper folders. Response letters may also be temporarily stored on magnetic disk in automated office equipment. Abbreviated or summarized information may be stored in automated equipment.

Retrievability:

Chronologically by year and alphabetically by name of the requester except, in those instances where a requester has made his request through an attorney or agent. In the latter case, the name of the attorney or agent might appear as the requester.

Safeguards:

Case files and magnetic disks are stored in lockable file cabinets. Computer access is restricted by the use of passwords. Access to all storage media is limited to personnel whose official duties require access.

Retention and disposal:

Request letters and related correspondence are retained for two years. Accountings of disclosures are retained for five years or the life of the disclosed record, whichever is longer. All records are destroyed by burning or shredding.

System manager(s) and address:

Postal Service Records Officer, Headquarters, Washington, DC 20260-5010.

Notification procedure:

Persons wishing to know whether information about them is maintained in this system of records should address inquiries to the Custodian at the facility where request was sent. Inquiries should contain the full name of the person who submitted the request, or the name of the attorney who submitted the request on the person's behalf, and the date of the request.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Individuals and their attorneys who submit amendment/records requests; USPS officials who respond to the requests; Other sources whom the USPS believes have information pertinent to a decision on the request; Other agencies referring requests to the USPS; and pertinent records responsive to the request.

Systems exempted from certain provisions of the act:

Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a(j) and (k) See 30 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 150.025

System name:

Records and Information Management Records—Privacy Act Appeals and Litigation Records, 150.025.

System location:

General Administrative Law Division, Law Department, USPS Headquarters.

Categories of individuals covered by the system:

The system encompasses all individuals who submit administrative appeals or bring suit against the Postal Service pursuant to the provisions of the Privacy Act of 1974.

Note.—This system may contain inquiries and requests regarding information contained in other USPS systems of records that are subject to the Privacy Act. As a result, information about individuals from other systems may, when appropriate, become part of this system.

Categories of records in the system:

The system contains correspondence and other documents related to administrative appeals made by individuals to the General Counsel under the provisions of the Privacy Act (5 U.S.C. 552a), including copies of appeal letters, appeal decisions, initial request and decision letters, internal memoranda, referral letters, and copies of the records at issue. Litigation case files may contain the aforementioned types of records as well as pleadings, memoranda of law, notes and case analyses prepared by attorneys and other personnel, and other documents incidental to the litigation.

Authority for maintenance of the system:

5 U.S.C. 552a.

Purpose(s):

To enable the General Counsel to carry out his duties as appellate authority, to assist in the representation of the Postal Service in Privacy Act litigation, and to comply with reporting requirements.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Records or information may be provided to the Department of Justice for its coordination of responses to requests for information and to prepare reports required by 5 U.S.C. 552a(p).

2. Records or information may be provided to a Federal agency in order to obtain advice and recommendation concerning matters on which the agency has specialized experience or particular competence that may be useful to the USPS in making required determinations under the Privacy Act.

3. Records or information may be provided to any source from which the USPS requests additional information (to the extent necessary to identify the requesting individual, inform the source of the purpose of the request, or to identify the type of information requested), where necessary to obtain information relevant to a USPS decision concerning a Privacy Act request.

4. Records may be disseminated to a Federal agency which originally furnished the records for the purpose of permitting a decision as to access or correction to be made by that agency, or for the purpose of consulting with that agency as to the propriety of access or correction.

5. Records or information may be disseminated to any appropriate Federal, State, local, foreign agency or other appropriate source for the purpose of verifying the accuracy of information that is the subject of an individual's request for amendment or correction.

6. Information contained in litigation records is public to the extent that the documents have been filed in a court or public administrative proceeding, unless the court or other adjudicative body has ordered otherwise. Such public information, including information concerning the nature, status and disposition of the proceeding, may be disclosed to any person, unless it is determined that release of specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

7. When considered appropriate, records in this system may be referred to a bar association or similar Federal, state or local licensing or regulatory authority for possible disciplinary action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Appeal and litigation case records are stored in paper folders. Appeal decision letters are also stored in binders and on magnetic tape or disk in automated office equipment. Abbreviated or summarized information is stored on index cards and in automated equipment.

Retrievability:

Chronologically by year; numerically by appeal number; and alphabetically by name of the requester except in those instances where a requester has an appeal filed on his behalf by an attorney or agent. In the latter case, the name of the attorney or agent might appear as the requester appellant. Litigation case records are retrieved by the style of the civil action.

Safeguards:

Appeal and litigation case files are stored in lockable file cabinets under the general scrutiny of Postal Service attorneys. Access to paper records and to computer data is limited to personnel whose official duties require access.

Retention and disposal:

Appeal decision letters are retained indefinitely. Appeal and litigation case files are retained for ten years following the date of the final agency decision, or ten years following the final adjudication in case of a civil suite, whichever is applicable. Records are destroyed by shredding, burning, or the equivalent.

System manager(s) and address:

General Counsel, Law Department, USPS Headquarters, Washington, D.C. 20260-1100.

Notification procedure:

Individuals wishing to determine whether this system of records contains information about them should write to the System Manager and provide the following information: The name of the person who submitted the appeal, or the name of the attorney who submitted the appeal on the person's behalf, and the year in which the appeal was made; or, when applicable, the name of the plaintiff in the civil action and the year in which the civil action was filed.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Note.—The amendment provisions for this system are not intended to permit an individual a second opportunity to request amendment of a record which was the subject of the initial Privacy Act amendment request merely because the record has been incorporated into this system as a result of the appeal process. That is, after an individual has requested amendment of a specific record in a USPS system under provisions of the Privacy Act, that specific record may itself become part of this system of case records. An individual may not subsequently request amendment of that specific record again simply because a copy of the record has become part of the second system of records.

Generally, review of requests seeking amendment of records which have previously been the subject of a judicial or quasi-judicial administrative action will be limited in scope. The amendment provisions of the Act are not intended to permit the alteration of evidence presented in the course of an adjudication, nor are they intended to provide a means for collaterally attacking the finality of a judicial or administrative decision. Review of requests for amendment of adjudicative records will be restricted to determining whether the records accurately reflect the action of the judicial or administrative body ruling on the case, and will not include a review of the merits of the action, determination, or finding.

Record source categories:

Individuals and their attorneys who submit Privacy Act requests and appeals; USPS officials who respond to Privacy Act requests; Other sources whom the USPS believes have information pertinent to a decision on the Privacy Act request or appeal; Other agencies referring requests to the USPS; Pertinent records from other USPS systems of records.

Systems exempted from certain provisions of the act:

Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a (d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a (j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 160.010

System name:

Special Mail Services—Insured and Registered Domestic Mail Inquiry and Application for Indemnity Records, 160.010.

System location:

Rates and Classification Department, Headquarters, Postal Data Center, St. Louis, MO, and Post Offices.

Categories of individuals covered by the system:

Insured and registered domestic mail claimants/requesters, including mail senders and addressees.

Categories of records in the system:

Name and address of mail sender and addressee: declaration of claimant/requester, and claim/inquiry status information.

Authority for maintenance of the system:

39 U.S.C. 401, 404.

Purpose(s):

To respond to inquiries on the status of domestic insured and registered mail, and to adjudicate claims related to such mail.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Handwritten and typed forms, computer readable media and printouts.

Retrievability:

Claimant/requester's name, mailer's name, date of mailing, and registered article number; or claim number, date of mailing, mailer's name, and insured article number.

Safeguards:

Handwritten and typed forms are maintained in steel file cabinets with use limited to claims personnel. Computer readable media are stored in protected areas, and access to the media is confined to authorized data processing personnel.

Retention and disposal:

Domestic inquiries are maintained for two years. Claim records are maintained for one year at St. Louis Postal Data Center and then transferred to the Federal Records Center and maintained for another three years. All records are destroyed by shredding.

System manager(s) and address:

APMG, Rates and Classification Department, Headquarters, Washington, D.C. 20260-5300.

Notification procedure:

Persons wishing to know whether information about them is maintained in this system of records should address inquiries to the head of the facility where the insured or registered domestic claim was filed. If claim has been filed, inquiry should include claim number, (if insured mail), date of claim, insured or registered number of article mailed, and the date of mailing.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information from the individual completing the claim/inquiry form.

USPS 160.020

System name:

Special Mail Services—Insured and Registered Ordinary International Mail Inquiry and Application for Indemnity Records, 160.020.

System location:

Rates and Classification Department, USPS Headquarters; Postal Data Center, St. Louis, MO; and International Claims and Inquiries Offices in New York, New Orleans and San Francisco.

Categories of individuals covered by the system:

Insured and registered international mail claimants requesters, including mail senders and addressees, declaration of claimants requesters, and claim/inquiry status information.

Categories of records in the system:

Name, address, and description of claim.

Authority for maintenance of the system:

39 U.S.C. 401, 404:

Purpose(s):

To respond to inquiries regarding international mail, and to adjudicate insured and registered international mail claims.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. To refer an international mail inquiry or claim to the appropriate foreign postal authority when required for resolution.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Handwritten and typed forms, computer readable media and printouts.

Retrievability:

Claimant/requester's name, case number, and registered or insured article number.

Safeguards:

Handwritten and typed forms are maintained in steel file cabinets with use limited to claims personnel. Computer readable media are stored in protected areas, and access to the media is confined to authorized data processing personnel.

Retention and disposal:

Destroy when 3 years old.

System manager(s) and address:

APMG, Rates and Classification Department, Headquarters, Washington, D.C. 20260-5300.

Notification procedure:

Persons wishing to know whether information about them is maintained in this system of records should address inquiries to the head of the facility where the insured or registered foreign mail claim was filed. If claim has been filed, inquiry should include claim number, date of claim, insured or registered number of article mailed.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Individual completing the claim/inquiry form.

USPS 160.030

System name:

Special Mail Services—Express Mail Service Insurance Claims for Loss, Delay and Damage, 160.030.

System location:

St. Louis Postal Data Center, St. Louis, MO; International Claims and Inquiries Office, New York, NY; post offices.

Categories of individuals covered by the system:

Express Mail claimants (mailers or addressees).

Categories of records in the system:

Name and address of mailer and addressee, description of contents mailed, amount claimed, receipts of mailing and delivery, and other documentation supporting the claim and its adjudication.

Authority for maintenance of the system:

39 U.S.C. 401, 404.

Purpose(s):

To adjudicate Express Mail claims for loss, delay and damage.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

In file cabinets in original typed, handwritten, copied or printed form; and on computer-readable media.

Retrievability:

EMS item number, date of mailing, name of sender, and country of destination (for international items).

Safeguards:

Maintained in steel file cabinets by post office Express Mail Marketing personnel and by Claims Personnel in the Rates and Classification Department and the International Claims and Inquiries Office. Computer-readable media are stored in protected areas having controlled access.

Retention and disposal:

PDC records are retained for two years.

System manager(s) and address:

APMG, Rates and Classification Department, Headquarters, Washington, D.C. 20260-5300.

Notification procedure:

Claimants wishing to know whether information about them is maintained in this system of records should address inquiries to the SYSTEM MANAGER.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

The claimant or designated representative.

USPS 170.010

System name:

Statistical (Cost) Systems—Workload Reporting Records, 170.010.

System location:

Workload Reporting Records are located and/or maintained in various Departments and Facilities of the USPS.

Categories of individuals covered by the system:

USPS employees and contract employees assigned to work on specific projects.

Categories of records in the system:

May include employee initials and surname, organizational unit and division, work hours on daily, weekly, or pay period basis by course number designated, social security number, systems code, weekly totals and pay period totals, project number, project name, name of customer contact, estimated completion date, estimated resources, actual contact, and general remarks about the development of the project.

Authority for maintenance of the system:

39 U.S.C. 401, 404.

Purpose(s):

The system is used to determine project costs for billing customers for services and by management to schedule work loads and staffing.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms, magnetic tape and disks.

Retrievability:

Employee initials and name, project number, system code, social security number, pay period or project name.

Safeguards:

Maintained in secured area within secured facility.

Retention and disposal:

In some cases, records are retained for one year and then automatically deleted from computer disks and paper files are destroyed by shredding. Some records are maintained on computer tape beyond one year for historical and trend analyses.

System manager(s) and address:

The department of facility head where such records are required.

Notification procedure:

Employees wishing to gain access to this information should address inquiries to the department or facility head where employed at the time of work load reporting. Inquiries should contain full name and project name and number.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure aboye and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Prepared by employee or supervisor as activities occur.

USPS 190.010

System name:

Litigation—Miscellaneous Civil Action and Administrative Proceeding Case Files, 190.010.

System location:

Law Department, Regional and National Headquarters.

Categories of individuals covered by the system:

Individuals involved in litigation or formal administrative proceedings to which the USPS is a party or in which information or testimony is sought from Postal Service sources. This system includes only those litigation matters that are not specifically included in other Postal Service systems that cover particular litigation subject areas.

Note.—These files constitute a Privacy Act system of records only to the extent that personally identifying information about an individual is in fact retrieved from the files by use of the individual's name or other personal identifier. Generally, information in litigation files is retrieved by reference to the case name or number; in those instances where the case name or number is not the personal identifier of an individual, the file does not constitute a Privacy Act system of records.

Categories of records in the system:

Formal pleadings, and briefs, investigative reports, exhibits and other documentary evidence, affidavits, discovery documents, decisions and orders, memoranda of law, miscellaneous notes and case analyses prepared by Postal Service attorneys and other personnel, correspondence and telephone records, and other relevant documents.

Authority for maintenance of the system:

39 U.S.C. 204, 401, 409(d); 39 CFR Subchapter N.

Purpose(s):

This information is used to provide legal advice and representation to the Postal Service.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Information contained in these records is public to the extent that the documents have been filed in a court or public administrative proceeding, unless the court or other adjudicative body has ordered otherwise. Such public information, including information concerning the nature, status and disposition of the proceeding, may be disclosed to any person, unless it is determined that release of specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

2. A record may be transferred, and information from it disclosed to any Federal agency as may be appropriate for the coordinated defense or prosecution of related litigation or the resolution of related claims or issues without litigation.

3. A record may be disclosed in a Federal, state, local, or foreign judicial or administrative proceeding in accordance with the procedures and practices governing such proceeding.

4. When considered appropriate, records in this system may be referred to a bar association or similar Federal, state or local licensing or regulatory authority for possible disciplinary action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Case records are stored in paper folders and on magnetic tape or disk in automated office equipment.

Retrievability:

By case name or by case or docket number. Although case files may contain items of information about particular individuals, there is not necessarily a means for retrieving information about a particular individual by the individual's name or other personal identifier.

Safeguards:

Folders containing paper documents are kept in lockable filing cabinets under the general scrutiny of Postal Service attorneys. Computer terminals and tape/disk files are located in a secured area, and access is restricted to personnel having an official need.

Retention and disposal:

Selected records are retained for as long as subject matter has value for reference and research purposes. All other records are retained in accordance with the applicable Postal Service Retention Schedule. Paper records are destroyed by shredding or burning, and computer tape/disk records are erased.

System manager(s) and address:

General Counsel, Law Department, USPS Headquarters, Washington, D.C. 20260–1100.

Notification procedure:

Persons wishing to determine whether this system of records contains information about them should write to the System Manager and provide their name and current address, the case number and court of record, if known, the approximate date the action was instituted, and a brief description of the nature of the action.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6. The right to access may be limited by various provisions of 5 U.S.C. 552a, including subsection (d)(5).

Contesting record procedures:

See Notification and Record Access Procedures above.

Note.—Review of requests seeking amendment of records which have previously been the subject of a judicial or quasi-judicial administrative action will be limited in scope. The amendment provisions of the Act are not intended to permit the alteration of evidence presented in the course of an adjudication, nor are they intended to provide a means for collaterally attacking the finality of a judicial or administrative decision. Review of requests for amendment of adjudicative records will be restricted to determining whether the records accurately reflect the action of the judicial or administrative body ruling on the case, and will not include a review of the merits of the action, determination, or finding.

Record source categories:

Individuals involved in the proceedings, their attorneys or other representatives, agency officials, law enforcement agencies, witnesses, and relevant records.

Systems exempted from certain provisions of the act:

Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a (d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a (j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 190.020

System name:

Litigation Records—National Labor Relations Board Administrative Litigation Case Files, 190.020.

System location:

Office of Labor Law, Law Department, National Headquarters and Office of Field Legal Services, Regions

Categories of individuals covered by the system:

Employees who are charging parties in NLRB cases, or on whose behalf NLRB charges have been filed by a collective bargaining representative.

Categories of records in the system:

(a) Formal pleadings and memoranda of law; (b) Other relevant documents, (c) Miscellaneous notes and case analyses prepared by Postal Service attorneys and personnel; (d) Correspondence and telephone records.

Authority for maintenance of the system:

39 U.S.C. 401, 409(d), 1208.

Purpose(s):

This information is used to provide legal advice and representation to the Postal Service.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Information contained in litigation records is public to the extent that the documents have been filed in a court or public administrative proceeding, unless the court or other adjudicative body has ordered otherwise. Such public information, including information concerning the nature, status and disposition of the proceeding, may be disclosed to any person, unless it is determined that release of specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

2. When considered appropriate, records in this system may be referred to a bar association or similar Federal, state or local licensing or regulatory authority for possible disciplinary action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Case records are stored in paper folders and on magnetic tape or disk in automated office equipment.

Retrievability:

By name of charging party or individual on whose behalf a charge has been filed or by NLRB case number.

Safeguards:

Case folders are kept in lockable filing cabinets within secured buildings or areas under the general scrutiny of Postal Service attorneys. Computer terminals and tape/disk files are located in a secured area, and access is restricted to personnel having an official need.

Retention and disposal:

Selected records are maintained on an active basis until subject matter has no information value, and on inactive basis for an additional three years. All other records are maintained for five years. Paper records are shredded and computer tape/disk records are erased at the end of retention period.

System manager(s) and address:

General Counsel, Law Department, Headquarters, Washington, D.C. 20260-1100.

Notification procedure:

Persons wishing to determine whether this system of records contains information about them should write to the System Manager and provide their name, NLRB case number, if known, and approximate date the action was initiated.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Note.—Review of requests seeking amendment of records which have previously been the subject of a judicial or quasi-judicial administrative action will be limited in scope. The amendment provisions of the Act are not intended to permit the alteration of evidence presented in the course of an adjudication, nor are they intended to provide a means for collaterally attacking the finality of a judicial or administrative decision. Review of requests for amendment of adjudicative records will be restricted to determining whether the records accurately reflect the action of the judicial or administrative body ruling on the case, and will not include a review of the merits of the action, determination, or finding.

Record source categories:

(a) Employee involved in NRLB cases; (b) Counsel(s) or other representative(s) for parties involved in the case other than the Postal Service; (c) The National Labor Relations Board and its General Counsel; (d) Other individuals involved in NRLB cases. Source documents include case files, investigative reports, and other relevant records.

Systems exempted from certain provisions of the act:

Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a (j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 190.030

System name:

Litigation Records—Employee & Labor Relations Court Litigation Case Files, 190.030.

System location:

Office of Labor Law, Law Department, National Headquarters.

Categories of individuals covered by the system:

Individuals involved in employee and labor relations litigation.

Categories of records in the system:

(a) Pleadings in court cases; (b) Briefs and legal memoranda; (c) Correspondence and telephone messages; and (d) Other documents relevant to cases filed in the courts or compiled in contemplation that a case will be filed in the courts.

Authority for maintenance of the system:

39 U.S.C. 401, 409(d).

Purpose(s):

This information is used to provide legal advice and representation to the Postal Service.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Information contained in litigation records is public to the extent that the documents have been filed in a court or public administrative proceeding, unless the court or other adjudicative body has ordered otherwise. Such public information, including information concerning the nature, status and disposition of the proceeding, may be disclosed to any person, unless it is determined that release of specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

2. When considered appropriate, records in this system may be referred to a bar association or similar Federal, state or local licensing or regulatory authority for possible disciplinary action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Case records are stored in paper folders and on magnetic tape or disk in automated office equipment.

Retrievability:

By topic title or name of individual.

Safeguards:

Folders are kept in lockable filing cabinets within secured buildings or areas under the general scrutiny of Postal Service attorneys.Computer terminals and tape/disk files are located in a secured area and access is restricted to personnel having an official need.

Retention and disposal:

Selected records are maintained on an active basis until subject matter has no information value, and on inactive basis for an additional three years. All other records are maintained for five years. Paper records are shredded and computer tape/disk records are erased at the end of retention period.

System manager(s) and address:

General Counsel, Law Department, Headquarters, Washington, D.C. 20260-1100.

Notification procedure:

Persons wishing to determine whether this system of records contains information about them should write to the System Manager and provide their name, case number, if known, and the approximate date the action was initiated.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6

Contesting record procedures:

See Notification and Record Access Procedures above.

Note.—Review of requests seeking amendment of records which have previously been the subject of a judicial or quasi-judicial administrative action will be limited in scope. The amendment provisions of the Act are not intended to permit the alteration of evidence presented in the course of an adjudication, nor are they intended to provide a means for collaterally attacking the finality of a judicial or administrative decision. Review of requests for amendment of adjudicative records will be restricted to determining whether the records accurately reflect the action of the judicial or administrative body ruling on the case, and will not include a review of the merits of the action, determination, or finding

Record source categories:

(a) Individuals involved in employee and labor relations matters; (b) Counsel(s) or other representative(s) for parties in an action other than the Postal Service; (c) Other individuals involved in this matter. Source documents include internal memoranda, court related documents, case files and other relevant records.

Systems exempted from certain provisions of the act:

Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a(j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 200.010

System name:

Non-Mail Monetary Claims—Relocation Assistance Claims, 200.010.

System location:

Facilities Department, Headquarters, and all Regional Facilities offices. Departments.

Categories of individuals covered by the system:

Owners and tenants of real property purchased or leased by the U.S. Postal Service.

Categories of records in the system:

Completed claim forms and other documents related to indemnifying occupants of property acquired by the U.S. Postal Service. Information within these documents include name and address of claimant, address of vacated dwelling, itemized expenses incurred in moving, interim renting, and replacement housing.

Authority for maintenance of the system:

Uniform Relocation and Assistance and Real Property Acquisition Policies Act of 1970 (Pub. L. 91-646) and 39 U.S.C. 401.

Purpose(s):

This information is used to adjudicate claims for reimbursement of relocation expenses incurred by owners and tenants of real property acquired by the U.S. Postal Service.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, and J listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. May be disclosed to a Federal compliance investigator for case or program review.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

In file cabinets in original, typed, printed, or handwritten form.

Retrievability:

Alphabetically by claimant name within project file.

Safeguards:

Maintained in locked file cabinets within the exclusive custody of Facilities Department management personnel.

Retention and disposal:

Records are retained for the life of the facility and then destroyed.

System manager(s) and address:

APMG, Facilities Department, Headquarters, Washington, D.C. 20260-6400.

Notification procedure:

Claimants wishing to know whether information about them is maintained in this system of records should address inquiries to the same facility to which they applied for relocation benefits.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access procedures above.

Record source categories:

Information is obtained from previous dwelling owner or tenant claimant and Postal Service claim reviewers and adjudicators.

USPS 200.020

System name:

Non-Mail Monetary Claims—Monetary Claims for Personal Property Loss or Damage involving Present or Former Employees, 200.020.

System location:

Employee Relations Department, Headquarters, and field facilities; Postal Data Center.

Categories of individuals covered by the system:

Employees (or their survivors or agents) making a claim for loss or damage to personal property while on duty.

Categories of records in the system:

Form or written claim of loss or damage, supporting documents such as bills, receipts, repair estimates, replacement estimates, and investigative reports. Data within documents may include employee name and address, date and description of loss or damage occurrence, insurance coverage and deductible, and amounts of claims.

Authority for maintenance of the system:

39 U.S.C. 401, 409(d).

Purpose(s):

To adjudicate employee claims for loss or damage to their personal property in connection with or incident to their postal employment duties.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper documents and computer tape/disk.

Retrievability:

By name of claimant.

Safeguards:

Folders containing paper documents are kept in locked filing cabinets under the general scrutiny of Postal Service attorneys. Computer terminals and tape/disk files are located in a secured area.

Retention and disposal:

Records are destroyed 3 years from date claim is adjudicated.

System manager(s) and address:

APMG, Employee Relations Department, Washington, D.C. 20260-4200.

Notification procedure:

Claimants wishing to know whether information about them is maintained in this system of records should address inquiries to the head of the facility where the claim was filed. Headquarters employees should submit their inquiries to the System Manager.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Claimants or their agents making monetary claims for loss or damage to personal property; Witnesses; investigative sources, and insurance companies.

USPS 200.030

System name:

Non-Mail Monetary Claims—Tort Claim, Records, 200.030.

System location:

Claims Division, Law Department at Headquarters and regions, Postal Inspection Service,
Division Headquarters, Post Offices and Postal Data Centers.

Categories of individuals covered by the system:

Persons involved in accidents as a result of postal operations or alleging money damages under the provisions of the Federal Tort Claims Act.

Categories of records in the system:

Accident reports, tort claims filed, documentary evidence in support of tort claims administrative appeals, payment records, correspondence, locator cards, and papers pertaining to litigation arising out of tort claims. Litigation case files may contain the aforementioned types of records as well as summonses, lists of witnesses, witness statements, litigation reports, copies of processes and formal pleadings, briefs, supporting documents, notes and case analyses, correspondence, telephone records, and other documents related to the litigation.

Authority for maintenance of the system:

28 U.S.C. 2671-80, 39 U.S.C. 409(c).

Purpose(s):

To be used by attorneys and other employees of the Postal Service to consider, settle and defend against tort claims made against the USPS under the Federal Tort Claims Act; to support effective program management by accident prevention and safety officers; and to provide pertinent information regarding safety, accidents and claims to equipment manufacturers, suppliers, and their insurers.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, L, and M listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. Records may be transferred to the Department of Justice, other governmental agencies, and other persons or entities involved in a claim against the Postal Service, including lessors, insurers, or other parties who may be jointly liable to the claimant or who may owe USPS a duty to defend, insure, indemnify or contribute, when appropriate, or for use in adjudication, civil litigation and criminal prosecution.

2. Disclosure may be made to provide members of the American Insurance Association Index System with certain information related to accidents and injuries.

3. Disclosure may be made to provide information to USPS accident prevention and safety officers.

4. Disclosure may be made to furnish information to insurance companies that have named the United States as an additional insured or coinsured party in liability insurance policies.

5. Disclosure may be made to provide information to equipment manufacturers, suppliers, and their insurers for claims considerations and possible improvement of equipment and supplies.

6. Disclosure may be made to respond to a subpoena duces tecum and other appropriate court order and summons.

7. May be disclosed to independent contractors retained by the Postal Service to provide advice in connection with the settlement or defense of claims filed against USPS.

8. Information contained in litigation records is public to the extent that the documents have been filed in a court or public administrative proceeding, unless the court or other adjudicative body has ordered otherwise. Such public information, including information concerning the nature, status and disposition of the proceeding, may be disclosed to any person, unless it is determined that release of specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy.

9. When considered appropriate, records in this system may be referred to a bar association or similar Federal, state, or local licensing or regulatory authority for possible disciplinary action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records kept in file folders and other suitable containers. Some information may also be stored on magnetic tape or disk in automated office equipment.

Retrievability:

Information may be retrieved by claimant's name or Postal Inspection Service case number. Litigation case files are retrieved by case name or name of plaintiff.

Safeguards:

Records are maintained in ordinary filing equipment under general scrutiny of postal personnel. Access to computer data is restricted to authorized personnel.

Retention and disposal:

a. Paid Claims and Disallowed Claims (Journal Cases and Litigation Case Files). — Transfer to a Federal Records Center 2 years after final adjudication; destroy when 7 years old.

b. Closed Case Files (Cases Where Claims Were Neither Allowed nor Disallowed)— Transfer to a Federal Records Center when 2 years old; destroy when 5 years old.

c. PDC Payment Records—Transfer to a Federal Records Center when 1 year old; destroy when 4 years old.

d. Locator Cards—Destroy when 7 years old.

System manager(s) and address:

(1) General Counsel, Law Department, Headquarters, Washington, D.C. 20260-1100; (2) Chief Postal Inspector, Headquarters, Washington, D.C. 20260-2100.

Notification procedure:

Individuals wishing to determine whether this system of records contains information about them should write to the head of the facility where the claim was filed and provide full name and date and place of the occurrence that gave rise to the filing of a claim under the Federal Tort Claims Act. Inquiries regarding records maintained by the Inspection Service should be directed to the Chief Postal Inspector. Inquiries regarding records maintained by the Law Department should be directed to the General Counsel.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Note.—Review of requests seeking amendment of records which have previously been the subject of a judicial or quasi-judicial administrative action will be limited in scope. The amendment provisions of the Act are not intended to permit the alteration of evidence presented in the course of an adjudication, nor are they intended to provide a means for collaterally attacking the finality of a judicial or administrative decision. Review of requests for amendment of adjudicative records will be restricted to determining whether the records accurately reflect the action of the judicial or administrative body ruling on the case, and will not include a review of the merits of the action.

Record source categories:

Claimants and their attorneys, reports of postal employees involved in accidents, local police reports, Inspection Service investigative reports, American Insurance Association Index reports, and pertinent records from other USPS systems of records.

Systems exempted from certain provisions of the act:

Records or information in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access pursuant to 5 U.S.C. 552a(d)(5). In addition, the USPS has claimed exemptions from certain provisions of the Act for several of its other systems of records as permitted by 5 U.S.C. 552a(j) and (k). See 39 CFR 266.9. To the extent that copies of exempt records from those other systems are incorporated into this system, the exemptions applicable to the original primary system shall continue to apply to the incorporated records.

USPS 210.010

System name:

Contractor Records—Architect Engineers Selection Records, 210.010.

System location:

Facilities Department, regional Facilities Service Centers.

Categories of individuals covered by the system:

Professional Architect Engineers.

Categories of records in the system:

Information profile on individual's past experience and present qualifications in the field of providing architect engineering services. These profiles may include firm name and address, name of principals, personnel statistics, history of fee receipts, experience, and names of associate firms.

Authority for maintenance of the system:

39 U.S.C. 401

Purpose(s):

To facilitate the review and assessment of the qualifications of architect-engineer firms which have potential for selection and award of a contract to perform architect-engineer services under a designated facility project.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, and J listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Printed forms.

Retrievability:

State, city and name of individual or firm.

Safeguards:

Records access is limited to authorized personnel in the Facilities Department. Records are retained in filing receptacles in locked quarters and in a secured building facility.

Retention and disposal:

a. Architect-Engineer and Related Services Questionnaire, SF 254—Destroy when 1 year old.

b. Architect-Engineer and Related Services for Specific Projects, SF 255—When a contract is awarded, attach form to contract; otherwise, destroy when 1 year old.

System manager(s) and address:

APMG, Facilities Department, USPS Headquarters.

Notification procedure:

Any persons desiring information about this system of records should address their inquiries to the designated SYSTEM MANAGER and provide his name and project title.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Persons and firms interested in being considered for the negotiation and award of architect-engineer services contracts under the Major Facilities Program.

USPS 210.020

System name:

Contractor Records—Driver Screening System Assignment Records, 210.020

System location:

Delivery, Distribution & Transportation Department, Headquarters postal facilities employing persons under a highway contract with the USPS; and Transportation Management Service Centers.

Categories of individuals covered by the system:

Persons under a highway contract with the USPS.

Categories of records in the system:

Contractor Employee Assignment Notifications and Personnel Questionnaires that include name, social security number, birthdate and place, address and employment history, driver's license number, date and type of assignment, route number, and highway contract to which assigned.

Authority for maintenance of the system:

39 U.S.C. 401.

Purpose(s):

To ascertain employee's suitability for having an assignment requiring access to mail or postal premises under contract with the USPS.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, and L listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Originally typed, printed or handwritten form; magnetic tape and computer printed reports.

Retrievability:

Primarily by highway contract and postal locations serviced; secondarily, by individual's social security number and name.

Safeguards:

Through computerized codes and passwords, access is restricted to offices that are the authority for a specific contract and to only those post offices serviced by the contract.

Retention and disposal:

Records are held one year after the contract expires, or one year following an individual's employment termination with a company that has been awarded a highway contract.

System manager(s) and address:

APMG, Delivery, Distribution & Transportation Department, Headquarters, Washington, D.C. 20260–7100.

Notification procedure:

Contractors wishing to know whether information about them is maintained in this system of records should address inquiries to the Transportation Management Services Center Manager. Inquiries should contain full name and highway contract number.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

The contractor.

USPS 210.030

System name:

Contractor Records—Contractor Employee Fingerprint Records, 210.030.

System location:

Delivery, Distribution & Transportation Department, Headquarters; Regional Offices; and postal facilities having contract personnel.

Categories of individuals covered by the system:

Persons under contract with the USPS.

Categories of records in the system:

Fingerprint cards containing prospective contractor's name, social security number, address, date and place of birth, personal description characteristics, and fingerprints.

Authority for maintenance of the system:

39 U.S.C. 401.

Purpose(s):

To determine if a contractor employee has had a previous arrest record and to provide information to the Contracting Officer with regard to the USPS screening procedures.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, and L listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses are as follows:

1. All USPS fingerprint charts are sent to the Federal Bureau of Investigation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Original typed, printed or handwritten form.

Retrievability:

Contractor employee name.

Safeguards:

Maintained in locked file cabinets by Administrative Officials.

Retention and disposal:

Records are kept until employee leaves employment of USPS and then are destroyed 2 years later by shredding.

System manager(s) and address:

APMG, Delivery, Distribution & Transportation Department, Headquarters, Washington, DC 20260–7100.

Notification procedure:

Inquiries should be addressed to the Regional Postmaster General within the region where employed. Inquiries should contain full name and social security number.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Contractor employed by the USPS.

USPS 220.010

System name:

Marketing Records—Marketing Data Base Customer Records.

System location:

Marketing Department, USPS Headquarters; Marketing and Communications, Regions; Marketing/Customer Service, Divisions and MSCs.

Categories of individuals covered by the system:

Officers or employees of corporations, other business firms, and organizations that are volume users of postal services; USPS account representatives.

Categories of records in the system:

Organization names, addresses, and telephone numbers; size of firm; Standard Industrial Classification Code; officers of the organization or other contact persons; purchase records for USPS services; information on service or equipment needs; USPS account representatives and other postal employees serving the organization and calls made on the organization.

Authority for maintenance of the system:

39 U.S.C. 401, 403, 404.

Purpose(s):

To provide market information about business customers for USPS employees to use to sell postal products and services, assure account management, conduct research, plan new products and services, and otherwise make financial and operational decisions about the condition of the USPS. Specifically, this includes:

1. Assisting account representatives and other marketing and postal personnel in contacting and servicing customers and selling postal services.
2. Developing and conducting market research.
3. Targeting promotion campaigns, newsletters.
4. Testing new products and services.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, J, K, and L listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Magnetic tape or disks.

Retrievability:

Organization name, organization identification number, services purchased, Zip Code area, sales territory, USPS account representative, and Division/MSC.

Safeguards:

Computer records are subject to computer security procedures, including password access.

Retention and disposal:

Records are maintained for three years after final entry and then deleted from the data base.

System manager(s) and address:

APMG, Marketing Department, Headquarters, Washington, D.C. 20260–6300.

Notification procedure:

Customers wishing to know whether information about them is maintained in this system of records should address inquiries to the Division Field Director of Marketing and Communications for their geographic area.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Information is obtained from USPS business customers, statements of mailing and other USPS forms completed by the customer, commercial data bases, and account representatives' personal knowledge.

USPS 220.020

System name:

Marketing Records—Express Mail Service Customer Mailing List.

System location:

Marketing Department, USPS Headquarters, and its regional, divisional and sectional center marketing components.

Categories of individuals covered by the system:

Users of Express Mail service.

Categories of records in the system:

Names and addresses of users of Express Mail service.

Authority for maintenance of the system:

39 U.S.C. 401, 403, 404.

Purpose(s):

To communicate information and updates concerning Express Mail service to current users of that service and to provide management with statistical data to analyze usage of and improve Express Mail service.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

General routine use statements A, B, C, D, E, F, G, H, and J listed in the Prefatory Statement at the beginning of the Postal Service's published system notices apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Computer storage media and hardcopy printouts.

Retrievability:

Name of user and ZIP Code.

Safeguards:

Records are kept in a secured area, with access limited to authorized marketing personnel; access to information in computer files is limited to personnel having an authorized computer password.

Retention and disposal:

The master computer file is maintained indefinitely and is updated annually. Hardcopy printouts are destroyed when updated printouts are generated.

System manager(s) and address:

APMG, Marketing Department, Headquarters, Washington, DC 20260–6300.

Notification procedure:

Customers wishing to know whether information about them is maintained in this system of records should address inquiries to the System Manager and supply their name and address.

Record access procedures:

Requests for access should be made in accordance with the Notification Procedure above and the USPS Privacy Act regulations regarding access to records and verification of identity set forth at 39 CFR 266.6.

Contesting record procedures:

See Notification and Record Access Procedures above.

Record source categories:

Express Mail mailing forms and labels, most of which collect information directly from the customer.

List of U.S. Postal Service Facilities Referenced Herein.

The address of each Postal Service facility to which requests may be sent (referred to in systems descriptions), other than post offices and the geographical area served, is provided below. The addresses of individual post offices are not provided because of their large number and because that information is available locally to all concerned individuals.

The addresses of all Postal facilities, including locations in Puerto Rico, and the Virgin Islands are contained in THE NATIONAL FIVE-DIGIT ZIP CODE AND POST OFFICE DIRECTORY, Publication 65, STOCK NUMBER, 039-000-00274-4, available for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402-1575.

Postmasters, upon request, will supply the addresses of the Management Sectional Centers and Division Offices to which they report.

The following excerpt to addresses and areas serviced is provided for convenience of Privacy Act correspondents, and obviates the repetition in each notice.

Postal service regional offices

Regional Postmaster General, Central Region, 433 W. Van Buren Street, Chicago, IL 60699-0100. (States serviced: IL, MI, IN, HY, WY, MN, IA, MO, ND, SD, NE, KS, CO WY.)

Regional Postmaster General, Eastern Region, P.O. Box 8601, Philadelphia, PA 19101-0100. (States serviced: VA, WV, MD, DE, PA, DC, and KY, NC, OH, SC and ZIP Code prefixes 420-424 and 476-477 in IN: and ZIP Code prefixes 080-084 in NJ.)

Regional Postmaster General, Southern Region, 1407 Union Avenue, Memphis, TN 38166-0100. (States serviced: TN, AL, MS, TX, LA, GA, FL, OK, and AR.)

Regional Postmaster General, Northeast Region, 6 Griffin Road North, Windsor, CT 06006-0100. (States serviced: RI, MA, NH, CT, NY, PR, VI, VT, ME and ZIP Code prefixes 070-079 and 085-089 in NJ.)

Regional Postmaster General, Western Region, 850 Cherry Avenue, San Bruno, CA 94099-0100. (States serviced: CA, NV, HI, AK, WA, OR, MT, ID, UT, AZ, NM and ZIP Code prefixes 797-799 in TX and all Pacific Possessions and Trust Territory.)

Inspection service

Chief Postal Inspector, U.S. Postal Service, 475 L'Enfant Plaza West SW., Washington, DC 20260-2100.

Training institute

William F. Bolger Management Academy, 10000 Kentsdale Drive, Potomac, MD 20858-4320.

National test administration center

National Test Administration Center, U.S. Postal Service, Alexandria, VA 22314-4646.

Bulk Mail Centers

Atlanta, 1800 James Jackson Pky, NW, Atlanta, GA 30369-9998.
Chicago, 7500 West Roosevelt Road, Forest Park, IL 60130-2211.
Cincinnati, 3055 Crescentville Road, Cincinnati, OH 45235-9998.
Dallas, 2400 Dallas-Ft. Worth Tpke., 75398-9998.
Denver, 7755 East 58th Avenue, CO 80238-9997.
Des Moines, 4000 NW., 109th Street, Des Moines, IA 50395-0001.
Detroit, 17500 Oakwood Boulevard, Allen Park, MI 48101-2788.
Greensboro, 3701 West Wendover Avenue, Greensboro, NC 27495-9998.
Jacksonville, 7415 Commonwealth Avenue, Jacksonville, FL 32099-9998.
Kansas City, 4900 Speaker Road, Kansas City, KS 66106-1093.
Los Angeles, 5555 Bandini Blvd., Avenue, Bell, CA 90201-9997.
Memphis, 1921 Elvis Presley Boulevard, Memphis, TN 38136-9998.
Minneapolis-St. Paul, 3165 South Lexington Avenue, St. Paul MN 55121-2288.
New Jersey, 80 County Road, Jersey City, NJ 07097-9998.
Philadelphia, 1900 Byberry Road, Philadelphia, PA 19116-9997.
Pittsburgh, P.O. Box 1000, Warrendale, PA 15095-1000.
St. Louis, 5800 Phantom Drive, Hazelwood, MO 63042-2487.
San Francisco, 2501 Rydin Road, Richmond, CA 94804-9998.
Seattle, 34301 9th Ave. S. Federal Way, WA 98003-0500.
Springfield, 190 Fiberloid Street, Springfield, MA 01151-1088.
Washington, 9201 Edgeworth Drive, Capitol Heights, MD 20743-9997.

Title 39-Postal Service

Chapter I-United States Postal Service

PART 266—PRIVACY OF INFORMATION

Sec.
266.1 Purpose and scope.
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Authority: 39 U.S.C. 401; 5 USC 552a.

Source: 40 FR 45723, Oct. 2, 1975, unless otherwise noted.

§ 266.1 Purpose and scope.

This part is intended to protect individual privacy and affects all personal information collection and usage activities of the entire U.S. Postal Service. This includes the information interface of Postal Service employees to other employees, to individuals from the public at large, and to any private organization or governmental agency.

§ 266.2 Policy.

It is the policy of the U.S. Postal Service to insure that any record within its custody that identifies or describes any characteristic or provides historical information about an individual or that affords a basis for inferring personal characteristics, or things done by or to such individual, including the record of any affiliation with an organization or activity, or admission to an institution, is accurate, complete, timely, relevant, and reasonably secure from unauthorized access. Additionally, it is the policy to provide the means for individuals to know: (a) Of the existence of all Postal Service Privacy Act systems of records, (b) the recipients and usage made of such information, (c) what information is optional or mandatory to provide to the Postal Service, (d) the procedures for individuals to review and request update to all information about themselves, (e) the reproduction fees for releasing records, and (f) the procedures for individual legal appeal in cases of dissatisfaction.

[45 FR 44272, July 1, 1980]

§ 266.3 Responsibility.

(a) *Records Officer.* The Records Officer will insure Postal Service-wide compliance to this policy.

(b) *Custodian.* Custodians are responsible for adherence to this part within their respective units and in particular for affording individuals their rights to inspect and obtain copies of records concerning them.

(c) *Information System Executive.* These managers are responsible for reporting to the Records Officer the existence or proposed development of Privacy Act systems of records. They alos must report any change that would alter the systems description as published in the Federal Register. They establish the relevancy of information within those systems.

[40 FR 45723, Oct. 2, 1975, as amended at 45 FR 44272, July 1, 1980].

§ 266.4 Collection and disclosure of personal information.

(a) The following rules govern the collection of information about individuals throughout Postal Service operations:

(1) The Postal Service will:

(i) Collect, solicit and maintain only such information about an individual as is relevant and necessary to accomplish a purpose required by statute or Executive Order,

(ii) Collect information, to the greatest extent practicable, directly from the subject individual when such information may result in adverse determinations about an individual's rights, benefits or privileges,

(iii) Inform any individual who has been asked to furnish information about himself whether that disclosure is mandatory or voluntary, by what authority it is being solicited, the principal purposes for which it is intended to be used, the routine uses which may be made of it, and any penalties and specific consequences for the individual, which are known to the Postal Service, which will result from refusal to furnish it.

(2) The Postal Service will not discriminate against any individual who fails to provide information about himself unless that information is required or necessary for the conduct of the system or program in which the individual desires to participate.

(3) No information will be collected (or maintained) describing how individuals exercise rights guaranteed by the First Amendment unless the Postmaster General specifically determines that such information is relevant and necessary to carry out a statutory purpose of the Postal Service.

(4) The Postal Service will not require individuals to furnish their Social Security account number or deny a right, privilege or benefit because of an individual's refusal to furnish the number unless it must be provided by Federal law.

(b) *Disclosures.* (1) Disclosure: Limitations On. The Postal Service will not disseminate information about an individual unless reasonable efforts have been made to assure that the information is accurate, complete, timely and relevant and unless:

(i) The individual to whom the record pertains has requested in writing that the information be disseminated, or

(ii) It has obtained the prior written consent of the individual to whom the record pertains, or

(iii) The dissemination is in accordance with paragraph (b)(2) of this section.

(2) Dissemination of personal information may be made:

(i) To a person pursuant to a requirement of the Freedom of Information Act (5 U.S.C. 552);

(ii) To those officers and employees of the Postal Service who have a need for such information in the performance of their duties;

(iii) For a routine use as contained in the system notices published in the **Federal Register**;

(iv) To a recipient who has provided advance adequate written assurance that the information will be used solely as a statistical reporting or research record, and to whom the information is transferred in a form that is not individually identifiable;

(v) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13, U.S. Code;

(vi) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(vii) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual, if upon such disclosure notification is transmitted to the last known address of such individual;

(viii) To a federal agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity, if such activity is authorized by law and if the head of the agency or instrumentality has made a written request to the Postal Service specifying the particular portion of the record desired and the law enforcement activity for which the record is sought;

(ix) To either House of Congress or its committees or subcommittees to the extent of matter within their jurisdiction;

(x) To the Comptroller General or any of his authorized representatives in the course of the performance of the duties of the General Accounting Office;

(xi) Pursuant to the order of a court of competent jurisdiction.

(3) *Names and Addresses of Postal Customers.* The disclosure of lists of names or addresses of Postal customers or other persons to the public is prohibited (39 U.S.C. 412). Names or addresses will be disclosed only in those cases permitted by 39 CFR 265.6(d) relating to the Release of Information.

(4) *Employee Credit References.* A credit bureau or commercial firm from which an employee is seeking credit may be given the following information upon request: grade, duty status length of service, job title, and salary.

(5) *Employee Job References.* Prospective employers of a Postal employee or a former Postal employee may be furnished with the information in paragraph (b)(4) of this section, in addition to the date and reason for separation, if applicable.

(c) *Correction Disclosure.* Any person or other agency to which a personal record has been or is to be disclosed shall be informed of any corrections or notations of dispute relating thereto affecting the accuracy, timeliness or relevance of that personal record.

(d) *Recording of Disclosure.* (1) An accurate accounting of each disclosure will be kept in all instances except those in which disclosure is made to the subject of the record, or to Postal Service employees in the performance of their duties or is required by the Freedom of Information Act (5 U.S.C. 552).

(2) The accounting will be maintained for at least five (5) years or the life of the record, whichever is longer.

(3) The accounting will be made available to the individual named in the record upon inquiry, except for disclosures made pursuant to provision in paragraph (b)(2)(viii) of this section relating to law enforcement activities.

[40 FR 45723, Oct. 2, 1975, as amended at 45 FR 44272, July 1, 1980].

§ 266.5 Notification.

(a) *Notification of Systems.* The following procedures permit individuals to determine the types of personal records systems maintained by the Postal Service.

(1) Upon written request, the Postal Service will notify any individual whether a specific system named by him contains a record pertaining to him. See § 266.6 for suggested form of request.

(2) The Postal Service shall publish annually in the **Federal Register** a notice of existence and character of all personal systems of records. This notice will contain the following information:

(i) Name and location of the system,

(ii) Nature and purposes of the system,

(iii) Categories of individuals on whom personal information is maintained and categories of personal information generally maintained in the system,

(iv) Confidentiality requirements and the extent to which access controls apply to such information,

(v) Postal Service policies and standards regarding the safeguarding and disclosure of information, information storage, duration of retention of information, and elimination of such information from the system,

(vi) Routine uses made by the Postal Service of the personal information contained in the system, including the categories of users and the purpose of the use,

(vii) Title and official address of the custodian,

(viii) Procedures by which an individual can be informed if a system contains personal information pertaining to him, gain access to such information, and contest the accuracy, completeness, timeliness, relevance and necessity for retention of the information.

(ix) Categories of sources of such personal information,

(x) System status—either developmental or operational.

(b) *Notification of Disclosure.* The Postal Service shall make reasonable efforts to serve notice on an individual before any personal information on such individual is made available to any person under compulsory legal process when such process becomes a matter of public record.

(c) *Notification of Amendment.* (See § 266.7 (b)(3) relating to amendment of records upon request.)

(d) *Notification of New Use.* Any newly intended use of personal information maintained by the Postal Service will be published in the **Federal Register** thirty (30) days before such use becomes operational. Public views may then be submitted to the Records Officer.

(e) *Notification of Exemptions.* The Postal Service will publish within the **Federal Register** its intent to exempt any system of records and shall specify the nature and purpose of that system.

[40 FR 45724, Oct. 2, 1975; 40 FR 46512, Oct. 16, 1975, as amended at 45 FR 44272, July 1, 1980]

§ 266.6 Procedures for requesting inspection and copying.

The purpose of this section is to provide procedures by which an individual may have access to personal information within a comprehensible format.

(a) *Submission of Requests.* (1) Manner of Submission. Inquiries regarding the contents of records systems or access to personal information should be submitted in writing to the custodian of the official record, if known, or to the Records Officer, United States Postal Service, Washington, DC 20260–5010. Inquiries should be clearly marked, "Privacy Act Request". Any inquiry concerning a specific system of records should provide the Postal Service with the information contained under "Notification" for that system as published in the **Federal Register**. If the information supplied is insufficient to locate or identify the record, the requester will be notified promptly and, if possible, informed of additional information required. If the requester is not a Postal Service employee, he should designate the post office at which he wishes to review or obtain copies of records. Amendment requests contest the relevance, accuracy, timeliness or completeness of the record and will include a statement of the amendment requested.

(2) Third Party Inquiries. Anyone desiring to review or copy records pertaining to another person must have the written consent of that person.

(3) Period for Response by Custodian. Upon receipt of an inquiry, the custodian will respond with an acknowledgement of receipt within ten (10) days. If the inquiry requires the custodian to determine whether a particular record exists, the inquirer shall be informed of this determination as a part of the acknowledgement letter.

(b) *Compliance with Request for Access.* (1) Notification of Time and Place for Inspection. When a requested record has been identified and is to be disclosed, the custodian shall ensure that the record is made available promptly and shall immediately notify the requester where and when the record will be available for inspection or copying. Postal Service records will normally be available for inspection and copying during regular business hours at the postal facilities at which they are maintained. The custodian may, however, designate other reasonable locations and times for inspection and copying of some or all of the records within his custody.

(2) Identification of Requester. The requester must present personal identification sufficient to satisfy the custodian as to his identity prior to record review. Examples of sufficient identification are a valid driver's license, medicare card, and employee identification cards.

(3) Responsibilities of Requester. The requester shall assume the following responsibilities regarding the review of official personal records:

(i) Requester must agree not to leave Postal Services premises with official records unless specifically given a copy for that purpose by the custodian or his representative.

(ii) Requester must sign a statement indicating he has reviewed a specific record(s) or category of record.

(iii) Requester may be accompanied by a person he so chooses to aid in the inspection of information; however, requester must furnish the Postal Service with written authorization for such review in that person's presence.

(4) Special Rules for Medical Records. A medical record shall be disclosed to the requester to whom it pertains unless, in the judgment of the medical officer, access to such record could have an adverse effect upon such individual. When the medical officer determines that the disclosure of medical information could have an adverse effect upon the individual to whom it pertains, the medical doctor will transmit such information to a medical doctor named by the requesting individual.

(5) Limitations on Access. Nothing in this section shall allow an individual access to any information compiled in reasonable anticipation of a civil action or proceeding. Other limitations on access are those specifically addressed in §§ 266.6(b)(4) and 266.9.

(6) *Response When Compliance Is Not Possible.* A reply denying a written request to review a record shall be in writing signed by the custodian or other appropriate official and shall be made only if such a record does not exist or does not contain personal information relating to the requester, or is exempt from disclosure. This reply shall include a statement regarding the determining factors of denial, and the right to appeal the denial to the General Counsel.

(c) *Compliance With Request for Amendment.* (1) Correct or eliminate any information that is found to be incomplete, inaccurate, not relevant to a statutory purpose of the Postal Service, or not timely and notify the requester when this action is complete, or

(2) Not later than thirty (30) working days after receipt of a request to amend, notify the requester of a determination not to amend and of the requester's right to appeal, or to submit, in lieu of an appeal, a statement of reasonable length setting forth a position regarding the disputed information to be attached to the contested personal record.

(d) *Availability of Assistance in Exercising Rights.* The USPS Records Officer is available to provide an individual with assistance in exercising rights pursuant to this part.

[40 FR 45723 Oct. 2, 1975, as amended at 45 FR 44272, July 1, 1980].

§ 266.7 Procedures for requesting amendment.

(a) *Appeal Procedure.* (1) If a request to inspect, copy, or amend a record is denied, in whole or in part, or if no determination is made within the period prescribed by this part, the requester shall appeal to the General Counsel, U.S. Postal Service, Washington, D.C. 20260–1100.

(2) The requester should submit his appeal in writing within thirty (30) days of the date of denial, or within ninety (90) days of such request if the appeal is from a failure of the custodian to make a determination. The letter of appeal should include, as applicable:

(i) Reasonable identification of the record access to which or the amendment of which was requested.

(ii) A statement of the Postal Service action or failure to act and of the relief sought.

(iii) A copy of the request, of the notification of denial and of any other related correspondence.

(3) Any record found on appeal to be incomplete, inaccurate, not relevant, or not timely, shall within thirty (30) working days of the date of such findings be appropriately amended.

(4) The decision of the General Counsel, constitutes the final decision of the Postal Service on the right of the requester to inspect, copy, change, or update a record. The decision on the appeal shall be in writing and in the event of a denial shall set forth the reasons for such denial and state the individual's right to obtain judicial review in a district court. An indexed file of decisions on appeals shall be maintained by the Records Officer.

(b) *Submission of Statement of Disagreement.* If the final decision concerning a request for the amendment of a record does not satisfy the requester, any statement of reasonable length provided by that individual setting forth a position regarding the disputed information will be accepted and attached to the relevant personal folder.

(c) *Availability of Assistance in Exercising Rights.* The USPS Records Officer is available to provide an individual with assistance in exercising rights pursuant this part.

[40 FR 45723, Oct. 2, 1975, as amended at 41 FR 24709, June 18, 1976; 45 FR 44272, July 1, 1980; 51 FR 26386, Jul. 23, 1986]

§ 266.8 Schedule of fees.

(a) *Policy.* The purpose of this section is to establish fair and equitable fees to permit duplication of records for subject individuals (or authorized representatives) while recovering the full allowable direct costs incurred by the Postal Service.

(b) *Duplication.* (1) For duplicating any paper or micrographic record or publication, or computer report, the fee is

.15 per page, except that the first 100 pages furnished in response to a particular request shall be furnished without charge. See paragraph (d) of this section for fee limitations.

(2) The Postal Service may at its discretion make coin-operated copy machines available at any location. In that event, the requester will be given the opportunity to make copies at his own expense.

(3) The Postal Service normally will not furnish more than one copy of any record. If duplicate copies are furnished at the request of the requester, the per page fee is charged for each copy of each duplicate page without regard to whether the requester is eligible for free copies pursuant to § 266.8(b)(1).

(c) *Aggregating requests.* When the custodian reasonably believes that a requester is attempting to break a request for similar types of records down into a series of requests in order to evade the assessment of fees, the custodian may aggregate the requests and charge accordingly.

(d) *Limitations.* No fee will be charged an individual for the process of retrieving, or amending a record pertaining to that individual.

[52 FR 38230, Oct. 15, 1987]

§ 266.9 Exemptions.

(a) Subsections 552a (j) and (k) of Title 5, U.S. Code, empower the Postmaster General to exempt systems of records meeting certain criteria from various other subsections of section 552a. With respect to systems of records so exempted, nothing in this part shall require compliance with provisions hereof implementing any subsections of section 552a from which those systems have been exempted.

(b) Pursuant to, and to the extent permitted by, subsection 552a(j) and (k) of title 5, United States Code, the following systems of records maintained by the Postal Service are exempted from the designated subsections of section 552a of title 5, United States Code:

(1) Inspection Requirements-Investigative File System, USPS 080.010, from 5 U.S.C. 552a(c) (3) and (4), (d) (1)–(4), (e)(1)–(3), (e)(4)(G) and (H), (e) (5) and (8), (f), (g), and (m).

(2) Inspection Requriements-Mail Cover Program, USPS 080.020, from 5 U.S.C. 552a (c)(3) and (4), (d)(1)–(4), (e)(1)–(3), (e)(4)(G) and (H), (e)(5), (e)(8), (f), (g) and (m).

(3) Personnel Records-Preemployment Investigation Records, USPS 120.110, from 5 U.S.C. 552a (d)(1)–(4) and (e)(1) to the extent that information in the system is subject to exemption under 5 U.S.C. 552a(k)(5) as relating to the identity of a source who furnished information to the Government in confidence as a part of an investigation conducted solely for the purpose of determining suitability, eligibility, or qualifications of an individual for employment.

(4) Personnel Records-Recruiting, Examining, and Appointment Records, USPS 120.151 from 5 U.S.C. 552a(d)(1)–(4), (e)(1), (e)(4) (G) and (H), and (f) to the extent that information in the system is subject to exemption pursuant to 5 U.S.C. 552a(k) (5) and (6) as relating to the compromise of the objectivity or fairness of the testing or examination process and to the identity of a source who has furnished information to the Government in confidence as a part of an investigation conducted solely for the purpose of determining suitability, eligibility, or qualifications of an individual for employment.

(5) Personnel Records-PersonnelResearch and Test Validation Records, USPS 120.120, from 5 U.S.C. 552a(d)(1)–(4), (e)(4)(G) and (H), and (f) to the extent that information in the system is subject to exemption pursuant to 5 U.S.C. 552a(k)(6) as relating to testing and examination material.

(6)Equal Employment Opportunity-EEO Discrimination Complaint Investigations. USPS 030.010 from 5 U.S.C.552a (d)(1)-(4), (e)(4)(G) and (H) and (f) to the extent that information in the system is subject to exemption pursuant to 5 U.S.C. 552a(k)(2) as material compiled for law enforcement purposes and (k)(5) as relating to the identity of a source who has furnished information to the Government in confidence as a part of an investigation conducted solely for the purpose of determining suitability, eligibility, or qualifications of an individual for employment.

(7) Personnel Records-Postmaster Selection Program Records, USPS 120.130, from 5 U.S.C. 552a (d) (1)–(4) and (e)(1) to the extent that information in the system is subject to exemption under 5 U.S.C. 552a(k)(5) as relating to the identity of a source who furnished information to the Government in confidence as a part of an investigation conducted solely for the purpose of determining suitability, eligibility, or qualifications of an individual for employment.

(8) Personnel Records-Career Development and Training Records, USPS 120.152, from 5 U.S.C. 552a (d)(1)–(4), (e)(4) (G) and (H), and (f) to the extent that information in the system is subject to exemption pursuant to 5 U.S.C. 552a(k)(6) as relating to the compromise of the objectivity or fairness of the testing or examination process.

[40 FR 45723, Oct. 2, 1975, as amended at 42 FR 21471, Apr. 27, 1977; 43 FR 41391, Sept. 18, 1978; 45 FR 44272, July 1, 1980; 47 FR 17814, Apr. 26, 1982]

PRESIDENT'S COMMISSION ON EXECUTIVE EXCHANGE

TABLE OF CONTENTS

PCPI—1 Executive Interchange Program Records

PCPI—1

System name: Executive Interchange Program Records—PCP.

System location:

President's Commission on Personnel Interchange.
Room 1316
1900 E Street, NW.
Washington, D.C. 20415

Categories of individuals covered by the system: Nominees and participants in Executive Interchange Program.

Categories of records in the system: Nomination forms, nominee's biographical forms, personal qualifications statements (resumes), mid-year and end-of-year evaluation forms, notice and acknowledgement of applicable conflict-of-interest provisions of law, miscellaneous correspondence.

Authority for maintenance of the system: Executive Order 11451 of January 19, 1969.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Biographical information on nominees for Executive Interchange assignments is furnished to private and public sector organizations which provide assignments and otherwise participate in the Executive Interchange Program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in the file folders.

Retrievability: Records are indexed and retrievable by name.

Safeguards: Records are maintained in filing cabinets in a secured office and are available only to personnel authorized by the Commission on Personnel Interchange.

Retention and disposal: Records pertaining to Executives are retained in the offices of PCPI for three (3) years and then forwarded to the Federal Records Center at Suitland, Maryland where they are stored indefinitely. Records on nominees who do not receive Executive assignments are immediately forwarded to the records center.

System manager(s) and address:

Barbara Otis
Assistant Director for Administration
President's Commission on Personnel Interchange
Room 1316
1900 E Street, NW.
Washington, D.C. 20415

Notification procedure: An individual may be notified whether the systems of records contains a record pertaining to him by furnishing the following information: (1) Full name. (2) Date of birth.

Record access procedures: Information on the procedures for gaining access to and contesting the records may be obtained through the system manager and at the address indicated above.

Contesting record procedures: Same as the above.

Record source categories: Nominees for Executive Interchange assignments, nominating officials, private and public sector host organizations, and supervisory personnel at host organizations.

PRESIDENT'S COMMISSION ON WHITE HOUSE FELLOWSHIPS

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White House Fellowships—PCWHF.

PCWHF—1

System name:

White House Fellowships—PCWHF.

System location:

President's Commission on White House Fellowships, 712 Jackson Place, NW, Washington, D.C. 20503.

Categories of individuals covered by the system:

Applicants for White House Fellowships, speakers for the White House Fellows' education program, and commission and regional panel members.

Categories of records in the system:

Applications, index cards and supplemental material on individuals applying for White House Fellowships; biographical and other material regarding speakers for the White House Fellows' seminars, and index cards on prospective and current regional panel members.

Authority for maintenance of the system:

Executive Order 11183, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Applications are used to select candidates for White House Fellows; biographical and other material regarding speakers are distributed to White House Fellows before they meet with them; and cards on commission and regional panel members are a source file for memberships.

b. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

See Storage, Retrievability, Safeguards, and Retention and disposal below.

Storage:

The records are maintained in the file folders.

Retrievability:

Records are indexed by name.

Safeguards:

Records are maintained in filing cabinets in a secured room.

Records are available only to personnel authorized by the President's Commission on White House Fellowships.

Retention and disposal:

The applications of those selected as White House Fellows are maintained indefinitely. Applications of those not selected are destroyed 60 days after non-selection notice has been mailed. Biographical and other material regarding speakers for White House Fellows' seminars are destroyed when they become obsolete. The index cards of applicants are maintained indefinitely. The index cards on prospective and current commission and regional panel members are destroyed when obsolete.

System manager(s) and address:

Assistant Director for Administration, President's Commission on White House Fellowships, 712 Jackson Place, NW, Washington, D.C. 20503.

Notification procedure:

Contact the system manager listed above. It is necessary to furnish the following information in order to identify the individual whose records are requested.

a. Full name.
b. Date of birth.
c. Year of application (if applicable).

Record access procedures:

An individual can obtain information on the procedures for gaining access to the records through: Assistant Director for Administration, President's Commission on White House Fellowships, 712 Jackson Place, NW, Washington, D.C. 20503.

Contesting record procedures:

An individual can obtain information on the procedures for contesting the records through: President's Commission on White House Fellowships, 712 Jackson Place, NW, Washington, D.C. 20503

Record source categories:

White House and their evaluators, applicants for White House Fellowships, speakers, and commission and regional panel members.

Title I-General Provisions

Chapter IV-Miscellaneous Agencies

PART 425—PRESIDENT'S COMMISSION ON WHITE HOUSE FELLOWSHIPS

Sec.

425.1 Purpose and scope.
425.2 Procedures for notification of existence of records pertaining to individuals.
425.3 Procedure for requests for access to or disclosure of records pertaining to individuals.
425.4 Correction of records.
425.5 Disclosure of records to agencies or persons other than the individual to whom the record pertains.

Authority: 5 U.S.C. 552a(f).

Source: 40 FR 52416, Nov. 10, 1975; 40 FR 56651, Dec. 4, 1975, unless otherwise noted.

§ 425.1 Purpose and scope.

This part sets forth the President's Commission on White House Fellowships procedures under the Privacy Act of 1974 as required by 5 USC 552a(f). Information to applicants regarding the implementation of this Act is contained in the White House Fellowships Application Instructions.

§ 425.2 Procedures for notification of existence of records pertaining to individuals.

(a) The system of records, as defined in the Privacy Act of 1974, maintained by the President's Commission on White House Fellowships is listed annually in the **Federal Register** as required by that Act. Any person who wishes to know whether a system of records contains a record pertaining to him or her may either appear in person at Room 1308, 1900 E Street, NW., on work days between the hours of 8:30 a.m. and 5 p.m. or may write to the President's Commission on White House Fellowships Administrative Officer, Washington, D.C. 20415 (Phone 202–382–4661). It is recommended that requests be made in writing.

(b) Requests for notification of the existence of a record should state, if the requester is other than the individual to whom the record pertains, the relationship of the requester to that individual. (Note that requests will not be honored by the Commission pursuant to the Privacy Act unless made (1) by the individual to whom the record pertains or (2) by such individual's legal guardian if the individual has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction.)

(c) The Commission will acknowledge requests for the existence of records within 10 working days from the time it receives the request and will normally notify the requester of the existence or non-existence of records within 30 working days from receipt of request.

(d) No special identity verification is required for individuals who wish to know whether a specific system of records pertains to them.

[40 FR 52416, Nov. 10, 1975; 40 FR 56651, Dec. 4, 1975, as amended at 40 FR 59187, Dec. 22, 1975]

§ 425.3 Procedure for requests for access to or disclosure of records pertaining to individuals.

(a) Any person may request review of records pertaining to him by appearing at Room 1308, 1900 E Street, NW., Washington, D.C. on work days between the hours of 8:30 a.m. and 5 p.m. or by writing to the Commission on White House Fellowships Administrative Officer, Washington, D.C. 20415. (See paragraph (b) of this section for identification requirements.) The Commission will strive either to make the record available within 15 working days of the request or to inform the requester of the need for additional identification.

(b) In the case of persons making requests by appearing at the Commission, reasonable identification such as employment identification cards, drivers licenses, or credit cards will normally be accepted as sufficient evidence of identity in the absence of any indications to the contrary.

(c) Charges for copies of records will be at the rate of 0.10 cents per photocopy of each page. No charge will be made unless the charge as computed above would exceed 3 for each request or related series of requests. If a fee in excess of 25 would be required, the requester shall be notified and the fee must be tendered before the records will be copied. Remittances shall be in the form either of a personal check or bank draft drawn on a bank in the United States, or a money order. Remittances shall be made payable to the order of the Treasury of the United States and mailed or delivered to the Administrative Officer, President's Commission on White House Fellowships, 1900 E Street, NW., Washington, D.C. 20415.

(d) Individuals will not be denied access to records pertaining to them.

[40 FR 52416, Nov. 10, 1975; 40 FR 56651, Dec. 4, 1975, as amended at 40 FR 59187, Dec. 22, 1975]

§ 425.4 Correction of records.

(a) An individual may request that a record or records pertaining to him or her be amended or corrected. Such requests shall be submitted in writing to the Administrative Officer at the Commission's business address.

(b) The signature of the requester will be sufficient identification for requesting correction of records.

(c) A request for amendment shall contain an exact description of the item or items sought to be amended and specific reasons for the requested amendment, as well as the individual's birthdate for purposes of verifiction of records.

(d) Within 10 working days after receipt of a request to amend a record, the Administrative Officer shall transmit to the requester a written acknowledgement of receipt of request. No acknowledgement is required if the request can be reviewed and processed with notification to the individual of compliance or denial within the ten-day period. Requester will be notified within 30 days whether or not his or her request has been granted.

(e) If the Administrative Officer determines that the requested amendment is appropriate to insure that the record is:

(1) Relevant and necessary to accomplish the purposes for which the records were collected; and

(2) As accurate, timely, and complete as are reasonably necessary to assure fairness to the requester, the Administrative Officer shall:

(i) Change the record accordingly;

(ii) Advise the requester that the change has been made, thirty days from receipt of written request;

(iii) After an accounting of disclosures has been kept pursuant to 5 U.S.C. 552a(c), advise all previous recipients of the record, who, the Commission believes, still retain a copy thereof, of the fact that the amendment was made and the substance of the amendment.

(f) If, after review of the record, the Administrative Officer determines that the requested amendment is not in conformity with the requirements of the Act, he shall:

(1) Advise the requester in writing within thirty days of written request of such determination together with specific reasons therefor; and

(2) Inform the requester that further review of the request by the Director of the Commission is available if a written request therefor is made within 30 days after date of denial.

(g) Within 30 working days of receipt of a written request for review pursuant to § 425.4(f)(2) the Director shall make an independent review of the record, using the criteria of § 425.4(e) (1) and (2).

(1) If the Director determines that the record should be amended in

accordance with the request, the Administrative Officer shall take the actions listed in § 425.4(e)(2) (i), (ii), and (iii).

(2) If the Director, after independent review, determines that the record should not be amended in accordance with the request, the Administrative Officer shall advise the requester:

(i) Of the determination and the reasons therefor;

(ii) Of his or her right to file with the Administrative Officer a concise statement of his or her reasons for disagreeing with the refusal to amend the record;

(iii) That the record will be annotated to indicate to anyone subsequently having access to it that a statement of disagreement has been filed, and that the statement will be made available to anyone to whom the record is disclosed;

(iv) That the Director and the Administrative Officer may, in their discretion, include a brief summary of their reasons for refusing to amend the record whenever such disclosure is made;

(v) That any prior recipients of this disputed record, who, the Commission believes, still retain a copy thereof, will be sent a copy of the statement of disagreement, after an accounting of disclosures has been kept pursuant to 5 U.S.C. 552a(c);

(vi) Of his or her right to seek judicial review of the refusal to amend the record, pursuant to 5 U.S.C. 552a(g)(1)(A).

[40 FR 59187, Dec. 22, 1975]

§ 425.5 Disclosure of records to agencies or persons other than the individual to whom the record pertains.

Records subject to the Privacy Act that are requested by any person other than the individual to whom they pertain will not be made available except under the following circumstances:

(a) Records may be circulated to appropriate officials incident to placing Fellows in work assignments for the Fellowship year.

(b) An accounting of the date, nature, and purpose of each disclosure of a record as well as the name and address of the person and agency to whom the disclosure was made will be indicated on the record. This accounting is available to the individual to whom the records pertain on written request to the Commission.

[40 FR 52416, Nov. 10, 1975; 40 FR 56651, Dec. 4, 1975, as amended at 40 FR 59187, Dec. 22, 1975]

RAILROAD RETIREMENT BOARD

Systems of Records

RRB-1—Social Security Benefit Vouchering System
RRB-2—Medical Examiner's Index
RRB-3—Medicare, Part B (Supplementary Medical Insurance Payment System—Contracted to The Travelers Insurance Company)
RRB-4—Microfiche of Estimated Annuity, Total Compensation and Residual Amount File
RRB-5—Master File of Creditable Service and Compensation of Railroad Employees
RRB-6—Unemployment Insurance Record File
RRB-7—Applications for Unemployment Benefits and Placement Service Under the Railroad Unemployment Insurance Act
RRB-8—Railroad Retirement Tax Reconciliation System
RRB-9—Protest and Appeals under the Railroad Unemployment Insurance Act
RRB-10—Legal Opinion Files
RRB-11—Files on Concluded Litigation
RRB-12—Railroad Employees' Registration File
RRB-13—Disclosure of Information Files
RRB-14—Freedom of Information Act Register
RRB-15—Covered Abandoned Railroad Employers' Payroll Recordss
RRB-16—Social Security Administration Summary Earnings File
RRB-17—Appeal Decisions From Initial Denials for Benefits Under the Provisions of the Railroad Retirement Act
RRB-18—Travel and Miscellaneous Voucher Examining System
RRB-19—Payroll Record System
RRB-20—Health Insurance and Supplementary Medical Insurance Enrollment and Premium Payment System (MEDICARE)
RRB-21—Railroad Unemployment and Sickness Insurance Benefit System
RRB-22—Railroad Retirement, Survivor, and Pensioner Benefit System
RRB-23—Four Percent Wage History of Railroad Workers
RRB-24—Research Master Record for Lump-Sum and Residual Awards Under the Railroad Retirement Act
RRB-25—Research Master Record for Survivor Beneficiaries Under the Railroad Retirement Act
RRB-26—Research Master Record for Retired Railroad Employees and their Dependents
RRB-27—Railroad Retirement Board—Social Security Administration Financial Interchange System
RRB-28—One Percent Historical File of Railroad Unemployment and Sickness Beneficiaries
RRB-29—Railroad Employees' Cumulative Gross Earnings Master File
RRB-33—Federal Employee Incentive Awards System
RRB-34—Employee Personnel Management Files
RRB-35—Employee Skills File
RRB-36—Complaint, Grievance, Disciplinary and Adverse Action File
RRB-37—Medical Records on Railroad Retirement Board Employees
RRB-38—Regional Rail Reorganization Act Reimbursement System
RRB-39—Milwaukee Railroad Restructuring Act Benefit System
RRB-40—Regional Rail Reorganization Act Title VII Benefit System
RRB-41—Rock Island Railroad Transition and Employee Assistance Act Benefit System
RRB-42—Uncollectible Benefit Overpayment Accounts.
RRB-43—Investigation Files.
RRB-44—Employee Test Score File.
RRB-45—Employee Tuition Reimbursement Files.
RRB-46—Personnel Security Files.
RRB-47—Motor Vehicle Operator Records.
RRB-48—Employee Identification Card Files (Building Passes).

Appendix I—Offices of the U.S. Railroad Retirement Board

Appendix II—Medicare Part B Field Offices

RRB-1

System name: Social Security Benefit Vouchering System—RRB.

System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611

Categories of individuals covered by the system: Applicants after December 31, 1974, for benefits under Title II of the Social Security Act who have completed ten years of creditable service in the railroad industry, the spouse and/or divorced spouse or survivor of such an individual.

Categories of records in the system: Name, address, social security number, type and amount of benefit, suspension and termination information.

Authority for maintenance of the system: Section 7(b)(2) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(2)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. Benefit rate information may be disclosed to primary beneficiaries regarding secondary beneficiaries (or vice versa) when the addition of such beneficiary affects either the entitlement or benefit payment.

b. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made to the representative payee from the record of the individual.

c. Benefit rates, names and addresses may be released to the Department of Treasury to control for reclamation and return of outstanding benefit payments, to issue benefit payments, act on reports of non-receipt, to insure delivery of payments to the correct address of the beneficiary or representative payee or to proper financial organization, and to investigate alleged forgery, theft or unlawful negotiation of railroad retirement for social security benefit checks or improper diversion of payments directed to a financial organization. .

d. Beneficiary's name, address, check rate and date plus supporting evidence may be released to the U.S. Postal Service for investigation of alleged forgery or theft of railroad retirement or social security benefit checks.

e. Beneficiary identifying information, effective date, benefit rates, and months paid may be furnished to the Veterans Administration for the purpose of assisting that agency in determining eligibility for benefits or verifying continued entitlement to and the correct amount of benefits payable under programs which it administers.

f. Benefit rates and effective dates may be disclosed to the Social Security Administration, Bureau of Supplemental Security Income, to Federal, State and local welfare or public aid agencies to assist them in processing applications for benefits under their respective programs.

g. Last addresses information may be disclosed to the Department of Health and Human Services in conjunction with the Parent Locator Service.

h. Benefit rates, entitlement and other necessary information may be released to the Department of Labor in conjunction with payment of benefits under the Federal Coal Mine and Safety Act.

i. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act or from an organization under contract to an employer or employers, information regarding the Board's payment of benefits, the methods by which such benefits are calculated, entitlement data and present address may be released to the requesting employer or the organization under contract to the employer or employers for the purposes of determining entitlement to and the rates of private supplemental pension benefits and to calculate estimated benefits due.

j. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his benefit or anticipated benefit and concerning the method of calculating that benefit may be disclosed to the labor organization official.

k. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

l. Information may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act.

m. Records may be disclosed to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under Title II of the Social Security Act, as amended.

n. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Retirement Act and may be disclosed during the course of an administrative appeal hearing in which such records are relevant to the issue.

o. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of record may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

p. Information in this system of records may be released to the attorney representing an individual in connection with that individual's claim for benefits under the Railroad Retirement Act or Title II of the Social Security Act, as amended, upon receipt of a written letter or declaration stating the fact of representation subject to the same procedures and regulatory prohibitions as the subject individual.

q. For payments made after December 31, 1983, beneficiary identifying information, address, amounts of benefits paid and repaid, beneficiary withholding instructions, and amounts withheld by the RRB for tax purposes may be furnished to the Internal Revenue Service for tax administration.

r. Beneficiary identifying information, entitlement data, and benefit rates may be released to the Department of State and embassy and consular officials, to the American Institute on Taiwan, and to the Veterans Administration Regional Office, Philippines, to aid in insuring the continued payment of beneficiaries living abroad.

s. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

t. Entitlement data and benefit rates may be released to any court, state, agency, or interested party, or to the representative of such court, state agency, or interested party, in connection with contemplated or actual legal or administrative proceeding concerning domestic relations and support matters.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, magnetic tape and microforms.

Retrievability: Social security account number, full name.

Safeguards: Records are maintained in areas not accessible to the public; buildings are secured (guard service).

Retention and disposal:

Paper: Individual claim folders with records of all actions pertaining to the payment of claims are transferred to the Federal Records Center, Chicago, Illinois 5 years after the date of last payment or denial activity if all benefits have been paid, no future eligibility is apparent and no erroneous payments are outstanding. The claim folder is destroyed 25 years after the date it is received in the center. Accounts receivable listings and checkwriting operations daily activity listings are transferred to the Federal Records Center 1 year after date of issue and are destroyed 6 years and 3 months after receipt at the center. Other paper listings are destroyed 1 year after the date of issue. Changes of address source documents are transferred to the Federal Records Center 6 months after the date of completion and are destroyed 4 years and 6 months after receipt at the center. Magnetic tape: Tapes are updated at least monthly, writing over obsolete data. Microforms: Originals are kept for 3 months after receipt at the center. One duplicate copy is kept 2 years and destroyed by shredding. All other duplicate copies are kept 1 year and destroyed by shredding.

System manager(s) and address: Director of Retirement Claims, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's records should be in writing addressed to the System Manager identified above, including full name and social security number of the individual. Before any information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Individual applicant or his or her authorized representative, the Social Security Administration, other record systems maintained by the Railroad Retirement Board.

RRB-2

System name: Medical Examiner's Index—Index—RRB.

System location: District Offices: See Appendix I for addresses.

Categories of individuals covered by the system: Physicians who have agreed to examine applicants.

Categories of records in the system: Physician's name address, telephone number, medical field and specialities, special equipment available, fees, names of those examined and dates of examinations.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)) Section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name of physician.

Safeguards: Kept in a special, separate file in an area of the office accessible only to district office employees. The office is locked during non-business hours.

Retention and disposal: Maintained indefinitely; cards will be removed and destroyed upon request of the doctor. If the physician's service has proved to be too slow or otherwise unsatisfactory, the record is destroyed by shredding.

System manager(s) and address:

Director of Retirement Claims
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security account number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Physician.

RRB-3

System name: MEDICARE: Part B (Supplementary Medical Insurance) System—Contracted to the Travelers Insurance Company—RRB.

System location:

Main Office: The Travelers Insurance Company
One Tower Square
Hartford, Connecticut 06115
Regional Offices: See Appendix II for addresses.

Categories of individuals covered by the system: Qualified railroad retirement beneficiaries covered by MEDICARE, Part B, who file claims under the medical insurance program.

Categories of records in the system: Name, health insurance claim number, address, telephone number, description of illness and treatment pertaining to claim, indication of other health insurance or medical assistance pertinent to claim, date(s) and place(s) of physician service, description of medical procedures, services or supplies furnished, nature of illness(es), medical charges, name, address and telephone of physician, Part B entitlement date, Part B deductible status and amount of payment to beneficiary.

Authority for maintenance of the system: Section 7(d) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(d)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made to the representative payee from the record of the individual.

b. Information regarding payments and deductibles may be released to the Department of Health and Human Services for use in administering Title XVII of the Social Security Act, as amended, and to establish, audit, and maintain account and vouchering records.

c. Records may be disclosed in a court proceeding relating to any claims for benefits under Title XVIII of the Social Security Act, as amended and may be disclosed during the course of an appeal hearing.

d. Records may be disclosed to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under Title XVIII of the Social Security Act.

e. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

f. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act, information regarding the status of a qualified railroad retirement beneficiary's enrollment in Medicare and premium payment status may be released to the requesting employer for the purposes of coordinating employee supplemental welfare benefits.

g. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his entitlement and premium status may be disclosed to the labor organization official.

h. In the event that this system of records maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

i. Information in this system of records may be released to the attorney representing an individual in connection with that individual's claim for benefits under the Railroad Retirement Act or Title XVIII of the Social Security Act, as amended, under receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

j. Information may be furnished to the U.S. Postal Service and to State and local police authorities for investigtion of the loss, theft, and/or forgery of Medicare checks.

k. Information may be furnished to the State licensing boards for review of unethical practices or nonprofessional conduct. When such information has been disclosed to a State licensing board, it may also be disclosed when requested to State agencies investigating such conduct under Titles V and XIX and to the CHAMPUS (Civilian Health and Medical Program of the Uniformed Services) organization and to CHAMPUS contractors that are not also Medicare contractors.

l. General guidelines dealing with length of stay, diagnosis and other criteria used in the claims process to establish the basis for payment may be disclosed to the requester. Information regarding physicians' prevailing or customary charges may be furnished.

m. The following general types of information may be disclosed to Title XIX agencies (to a state agency or to a carrier acting for a State agency charged with administration of a program under Title XIX): Physician, other practitioner and supplier identification numbers, and charges of physicians or other practitioners or suppliers for services furnished to beneficiaries.

n. Information on such matters as entitlement, benefit payment, or benefit utilization relating to an individual may be disclosed to any State agency or to a carrier acting for a State agency charged with the administration of a program under Title XIX.

Note: Disclosure to State agencies administering other Federal grants-in-aid programs requires the authorization of the beneficiary or his/her legal representative.

o. Relevant information may be disclosed to the Office of the President for responding to an individual pursuant to an inquiry from that individual or from a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, magnetic tape and microforms.

Retrievability: Health insurance claim number, name.

Safeguards: The Travelers Insurance Company is bound by the contract set forth by the Railroad Retirement Board which contains specific instruction regarding its responsibility in claim information handled and released. It is also bound by the same regulations regarding disclosure and security of information as the Board itself.

Retention and disposal: Each Travelers' office retains material for 27 months. At the end of 27 months the material is sent to the Federal Records Center. After 2 years the Federal Records Center destroys the material.

System manager(s) and address:

Director of Retirement Claims
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Claimant, his authorized representative or his/her survivors, the Social Security Administration, physicians, hospitals.

Appendix II: Railroad Part B Regional Offices

Regions, and States and Territories in Region

Southeastern
P.O. Box 10066
Augusta, GA 30903
Phone (404) 736-4451

Alabama, District of Columbia, Florida, Georgia, Kentucky, Maryland, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, Virgin Islands, Virgina, and West Virginia

Northeastern
P.O. Box 395
Albany, NY 12201
Phone (518) 459-8900

Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

North Central
2200 East 170th Street
Lansing, Il 60438
Phone (312) 895-0700

Illinois, Indiana, Iowa, Michigan, Minnesota, North Dakota, Ohio, South Dakota, and Wisconsin.

South Central
P.O. Box 5493
Dallas, TX 75222
Phone (214) 272-6560

Arkansas, Colorado, Kansas, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, and Texas

Western
P.O. Box 30050
Salt Lake City, UT 84125
Phone (801) 486-3161

Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming.

RRB-4

System name: Microfiche of Estimated Annuity, Total Compensation and Residual Amount File—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611 District Offices: See Appendix I for addresses.

Categories of individuals covered by the system: Railroad employees who never filed an application for an annuity, have not been reported to be deceased and who either worked in the current reporting year or have at least 120 months of creditable service.

Categories of records in the system: For employees with less than 120 months of service: SSN, name, date of birth, sex, cumulative service, cumulative tier 1 compensation, daily pay rate, employer number, gross residual, year last worked, number and pattern of months worked in year last worked, tier 1 compensation for year last worked, tier 2 compensation for year last worked. For railroad employees with 120 or more months of service; all of the above information plus estimated annuity data and SSA data.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Entitlement information may be disclosed to primary beneficiaries regarding secondary beneficiaries (or vice versa) when the addition of such beneficiary affects either the entitlement or benefit payment.

b. Information may be disclosed to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act or the Railroad Unemployment Insurance Act.

c. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

d. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act, information regarding the Board's estimated payment of unemployment, sickness or retirement benefits, the methods by which such benefits are calculated and entitlement data may be released to the requesting employer for the purposes of determining entitlement to and the rates of private supplemental pensions, sickness or unemployment benefits and to calculate estimated benefits due.

e. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his anticipated benefit and concerning the method of calculating that benefit may be disclosed to the labor organization official.

f. Information in this system of records may be released to the attorney representing an individual in connection with that individual's claim for benefits under the Railroad Retirement Act or the Railroad Unemployment Insurance Act, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

g. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Microfiche.

Retrievability: Social security number.

Safeguards: Only authorized personnel have access to these records. Fiche are kept in offices locked at the close of business each day until start of business the next day.

Retention and disposal: Shredded upon receipt of annual updated microfiche.

System manager(s) and address: Director of Compensation, U.S.Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611

Notification procedure: Request for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Furnished to district offices by headquarters who secured the information from the original master records.

RRB-5

System name: Master File of Creditable Service and Compensation of Railroad Employees—RRB

System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system: All individuals with creditable service under the Railroad Retirement and Railroad Unemployment Insurance Acts.

Categories of records in the system: Individual name, social security account number, claim number, date of birth, sex, race, last employer identification number, amount of daily payrate if under 100 dollars, ICC occupation code, and creditable service and compensation from 1937 to date.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)) and Section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. Records may be transferred to the Social Security Administration to correlate disability freeze actions and in the cases where the railroad employees do not acquire 120 creditable service months before retirement or death or have no current connection with the railroad industry, to enable SSA to credit the employee with the compensation and to pay or deny benefits.

b. Yearly service months, cumulative service months, yearly creditable compensation and cumulative creditable compensation may be released to the employees directly or through their respective employer.

c. Service months and earnings may be released to employers or former employers for correcting or reconstructing earnings records for railroad employees.

d. Information may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act and/or the Railroad Unemployment Insurance Act.

e. Employee identification and potential entitlement may be furnished to the Social Security Administration, Bureau of Supplemental Security Income, to Federal, State, and local welfare or public aid agencies to assist them in processing application for benefits under their respective programs.

f. Employee identification and other pertinent information may be released to the Department of Labor in conjunction with payment of benefits under the Federal Coal Mine and Safety Act.

g. The last employer information may be disclosed to the Department of Health, Education, and Welfare in conjunction with the Parent Locator Service.

h. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

i. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act, information, regarding the employee's potential eligibility for unemployment, sickness or retirement benefits may be released to the requesting employer for the purpose of determining entitlement to and the rates of private supplemental pension, sickness or unemployment benefits and to calculate estimated benefits due from the employer.

j. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his anticipated benefit may be disclosed to the labor organization official.

k. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Retirement Act or the Railroad Unemployment Insurance act and may be disclosed during the course of an administrative appeal hearing in which such records are relevant to the issue.

l. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or the Railroad Unemployment Insurance Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

m. Information in this system of records may be released to the attorney representing an individual in connection with that individual's claim for benefits under the Railroad Retirement Act or the Railroad Unemployment Insurance Act, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

n. All records may be disclosed to the Social Security Administration for purposes of administration of the Social Security Act.

o. Service and compensation and last employer information may be furnished, upon request, to state agencies operating unemployment or sickness insurance programs for the purposes of their administering such programs.

p. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, magnetic disk and paper.

Retrievability: Social security number, claim number and name.

Safeguards: Magnetic tape and magnetic disk: Computer and computer storage rooms are restricted to authorized personnel; on-line query safeguards include a lock/unlock password system, a terminal oriented transaction matrix and an audit trail. Paper: Bound in hard covers and stored on steel shelving accessible to only authorized personnel.

Retention and disposal: Magnetic tape and magnetic disk: Permanent retention; updated annually. Paper: Retained five years and destroyed last year ledger put in storage when current year ledger complete.

System manager(s) and address: Director of Compensation and Certification, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Railroad employer.

RRB-6

System name: Unemployment Insurance Record File—RRB.

System location: District Offices. See Appendix I for addresses.

Categories of individuals covered by the system: Claimants for unemployment benefits under the Railroad Unemployment Insurance Act and their respective employers.

Categories of records in the system: Development file containing letters from claimants, report of Railroad Unemployment Insurance Act fraud investigations and supporting evidence, erroneous payment investigations, protest and appeal requests and responses.

Authority for maintenance of the system: Section 12(l) of the Railroad Umemployment Insurance Act (45 U.S.C. 362(l))

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. Beneficiary identifying information may be released to third party contacts to determine if incapacity of the beneficiary or potential beneficiary to understand or use benefits exists, and to determine the suitability of a proposed representative payee.

b. Benefit rate, name and address may be referred to the Treasury Department to control for reclamation and return of outstanding benefit checks, to issue benefit checks, reconcile reports of nondelivery, and to insure delivery of check to the correct address of the beneficiary or representative payee.

c. Beneficiary's name, address, check rate, date and number, plus supporting evidence may be released to the U.S. Postal Service for investigation of alleged forgery or theft of railroad unemployment or sickness benefit checks.

d. Identifying information such as full name, address, date of birth, social security number, employee identification number, and date last worked, may be released to any last employer to verify entitlement for benefits under the Railroad Unemployment Insurance Act.

e. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act, information regarding the Board's payment of unemployment or sickness benefits, the methods by which such benefits are calculated, entitlement data and present address may be released to the requesting employer for the purposes of determining entitlement to and rates of private supplemental pension, sickness or unemployment benefits and to calculate estimated benefits due.

f. Benefit rates and effective dates may be released to the Social Security Administration, Bureau of Supplemental Security Income, to Federal, State and local welfare or public aid agencies to assist them in processing applications for benefits under their respective programs.

g. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made to the representative payee from the record of the individual.

h. Records may be disclosed to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under the Railroad Unemployment Insurance Act, as amended.

i. The last addresses and employer information may be disclosed to the Department of Health, Education, and Welfare in conjunction with the Parent Locator Service.

j. Disclosure may be made to a congressional office from the record of the individual in response to an inquiry from the congressional office made at the request of that individual.

k. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning this benefit or anticipated benefit may be disclosed to the labor organization official.

l. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Umemployment Insurance Act and may be disclosed during the course of an administrative appeal hearing in which such records are relevant to the issue.

m. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Unemployment Insurance Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

n. Non-medical information in this system of records may be released to the attorney representing such individual upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual. Medical information may be released to an attorney when such records are requested for the purpose of contesting a determination either administratively or judicially.

o. Beneficiary identifying and claim period information may be furnished to states for the purpose of their notifying the RRB whether claimants were paid state unemployment or sickness benefits and also whether wages were reported for them. For claimants that a state identifies as having received state unemployment benefits, RRB benefit information may be furnished the state for the purpose of recovery of the amount of the duplicate payments which is made.

p. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name, social security number.

Safeguards: Kept in steel file cabinets away from the general public and are available only to district office and regional office personnel.

Retention and disposal: Shredded five years after end of benefit year in which originated.

System manager(s) and address:

Director of Unemployment and Sickness Insurance
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Individual claimant or his authorized representative, employers, State employment and unemployment claims records, Federal, and Social Security Administration employer compensation reports.

RRB-7

System name: Applications for Unemployment Benefits and Placement Service under the Railroad Unemployment Insurance Act—RRB.

System location: District Offices: See Appendix I for addresses.

Categories of individuals covered by the system: Individuals who have made application for unemployment benefits and employment service.

Categories of records in the system: Name, address, account number, age, sex, education, height, weight, veteran status, employer, occupation, rate of pay, reason not working and last date worked, personal interview record, results of investigations.

Authority for maintenance of the system: Section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. Selected information may be disclosed to prospective employers for potential job placement.

b. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made to the representative payee from the record of the individual.

c. Beneficiary identification and entitlement information may be released to third party contacts to determine if incapacity of the beneficiary or potential beneficiary to understand or use benefits exists, and to determine the suitability of a proposed representative payee.

d. A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter, provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

e. Beneficiary identification, entitlement, and benefit rate information may be released to the Treasury Department to control for reclamation and return of outstanding benefit checks, to issue benefit checks, reconcile reports of nondelivery and to insure delivery of check to the correct address of the benefiticary or representative payee.

f. Information may be referred to the U.S. Postal Service for investigation of alleged forgery or theft of railroad unemployment or sickness benefit checks.

g. Beneficiary identification, entitlement, and benefit rate information may be released to the Social Security Administration, Bureau of Supplemental Security Income, to Federal, State, and local welfare or public aid agencies to assist them in processing applications for benefits under their respective programs.

h. The last addresses and employer information may be disclosed to Department of Health and Human Services in conjunction with the Parent Locator Service.

i. Information may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Unemployment Insurance Act.

j. Records may be disclosed to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under the Railroad Unemployment Insurance Act, as amended.

k. Identifying information such as full name, address, date of birth, social security number, employee identification number, and date last worked, may be released to any last employer to verify entitlement for benefits under the Railroad Unemployment Insurance Act.

l. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

m. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act, information regarding the Board's payment of unemployment or sickness benefits, the methods by which such benefits are calculated, entitlement data and present address will be released to the requesting employer for the purposes of determining entitlement to and rates of private supplemental pension, sickness or unemployment benefits and to calculate estimated benefits due.

n. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual information from the record of the individual concerning his benefit or anticipated benefit and concerning the method of calculating that benefit may be disclosed to the labor organization official.

o. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Unemployment Insurance Act and may be disclosed during the course of an administrative appeal hearing in which such records are relevant to the issue.

p. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Unemployment Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

q. Non-medical information in this system of records may be released to the attorney representing such individual upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual. Medical information may be released to an attorney when such records are requested for the purpose of contesting a determination either administratively or judicially.

r. Relevantinformation may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Social security number.

Safeguards: Only authorized personnel have access to the records; offices locked during nonbusiness hours.

Retention and disposal: In routine cases, held for three years after end of benefit year in which originated. In those with adverse activities (claims denied), held for five years after end of benefit year in which originated. At end of both periods, files are shredded.

System manager(s) and address:

Director of Unemployment and Sickness Insurance
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Individual applicant or his authorized representative, present and former employers, State and Federal departments of employment security, Social Security Administration, and labor organizations.

RRB-8

System name: Railroad Retirement Tax Reconciliation System—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Railroad employee representatives covered under the Railroad Retirement Act.

Categories of records in the system: Employers' quarterly or annual railroad retirement report of compensation and taxes.

Authority for maintenance of the system: Section 15 of the Railroad Retirement Act of 1974 (45 U.S.C. 231n)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Service and earnings information may be released to the Internal Revenue Service and the Treasury Department to refund excess taxes.

b. Records may be disclosed to the General Accounting Office for auditing purposes.

c. Service and earnings information may be released to employers or former employers for correcting or reconstructing earnings records for railroad retirement, supplemental ro unemployment/sickness employment tax purposes only, not to be construed as an extension of the statutory time limitation to amend such records.

d. In the event that this system of records maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, punch cards.

Retrievability: Name.

Safeguards: Records are maintained in areas not accessible to the public and are not permitted to be removed without authorization; secured building.

Retention and disposal: Employer and employee representative quarterly tax returns and tax reporting reconciliation file are destroyed by shredding.

System manager(s) and address:

Director of Fiscal Operations, U.S. Railroad Retirement Board,
844 Rush Street, Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Railroad tax reports, creditable and taxable compensation.

RRB-9

System name: Protest and Appeals under the Railroad Unemployment Insurance Act—RRB.

System location: Regional Offices: See Appendix I for addresses.

Categories of individuals covered by the system: Railroad employees.

Categories of records in the system: Name, address, social security number, employment data, record of investigation on adverse action.

Authority for maintenance of the system: Section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made to the representative payee from the record of the individual.

b. Identifying information such as full name, address, date of birth, social security number, employee identification number, and date last worked, may be released to any last employer to verify entitlement for benefits under the Railroad Unemployment Insurance Act.

c. Beneficiary identification, entitlement and benefit rates may be released to the Social Security Administration, Bureau of Supplemental Security Income, to Federal, State and local welfare or public aid agencies to assist them in processing applications for benefits under their respective programs.

d. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

e. Pursuant to a request from an employer covered by the Railroad Unemployment Insurance Act, information regarding the Board's payment of unemployment or sickness benefits, the methods by which such benefits are calculated, entitlement data and present address may be released to the requesting employer for the purposes of determining entitlement to and rates of private supplemental pension, sickness or unemployment benefits and to calculate estimated benefits due.

f. If a request for information pertaining to an individual is made by an official of a labor organization of the individual concerning his benefit or anticipated benefit may be disclosed to the labor organization official.

g. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Unemployment Insurance Act and may be disclosed during the course of an administrative appeal hearing in which such records are relevant to the issue.

h. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related tothe Railroad Retirement Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

i. Non-medical information in this system of records may be released to the attorney representing such individual upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual. Medical information may be released to an attorney when such records are requested for the purpose of contesting a determination either administratively or judicially.

j. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name, social security number.

Safeguards: Only authorized personnel have access to these records which are kept in an office that is locked at the close of business each day and remain so until start of business the next day.

Retention and disposal: Decisions are retained for a period of 15 and then destroyed by shredding .

System manager(s) and address:

Director of Hearings and Appeals, U.S. Railroad Retirement
Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure: Requests for information regarding an individual's record should be in writing, addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Employee, employer and district office records.

RRB-10

System name: Legal Opinion Files—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Applicants for benefits under the Railroad Retirement Act or the Railroad Unemployment Insurance Act.

Categories of records in the system: The files include a copy of the question submitted to the Bureau of Law for an opinion and a copy of the legal opinion rendered by the Bureau of Law. There may be copies of any correspondence between the Board and the individual or his employer concerning the question presented.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)) and Section

12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act, the Railroad Unemployment Insurance Act, the Milwaukee Railroad Restructuring Act, the Rock Island Railroad Transition and Employee Assistance Act or that disclosure would be clearly in the furtherance of the interest of the subject individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name.

Safeguards: Stored in locking file cabinets; access to these files is restricted to attorneys, other employees in the Bureau of Law, and other Board employees with express permission of the head of the clerical section of the Bureau of Law.

Retention and disposal: Permanent retention.

System manager(s) and address: Deputy General Counsel, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name, social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: The individual or his or her authorized representative, other record systems maintained by the Railroad Retirement Board, employers.

RRB—11

System name: Files on Concluded Litigation-RRB.

System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system: Railroad employees, retired railroad employees, and individuals with some creditable railroad service who are involved in litigation in which the Railroad Retirement Board has some interest as a party or otherwise.

Categories of records in the system: Legal briefs, reports on legal or factual issues involving copies of subpoenas which may have been issued, copies of any motions filed, transcripts of any depositions taken, correspondence received and copies of any correspondence released by the Board pertaining to the case, copies of any court rulings on motions, and copies of the final decision in the case.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)) and Section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act, the Railroad Unemployment Insurance Act, the Milwaukee Railroad Restructuring Act, or the Rock Island Railroad Transition and Employee Assistance Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name.

Safeguards: Stored in locked file cabinets; access to these files is restricted to attorneys, other employees in the Bureau of Law, and other Board employees with express permission of the head of the clerical section of the Bureau of Law.

Retention and disposal: Files are retained for 5 years after the case is closed, then shredded.

System manager(s) and address: Deputy General Counsel, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: The individual himself or his authorized representative, other record systems maintained by the Railroad Retirement Board, employers, the Social Security Administration.

RRB-12

System name: Railroad Employees' Registration File—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Individuals who had any employment for a railroad employer after 1938 and before 1981. (Use of the registration for claim was discontinued January 1981.)

Categories of records in the system: Railroad employee's name, address, social security number, date of birth, place of birth, mother's and father's names, sex, occupation and employer.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Name, date and place of birth, social security number, and parents' names may be disclosed to the Social Security Administration to verify social security number and date of birth.

b. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Retirement Act, or Railroad Unemployment Insurance Act and may be disclosed during the course of an administrative appeal hearing in which such records are relevant to the issue.

c. Records may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act and/or the Railroad Unemployment Insurance Act.

d. Information in this system of records may be released to the attorney representing such individual in connection with the individual's claim for benefits under the Railroad Retirement Act or the Railroad Unemployment Insurance Act, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, microfilm.

Retrievability: Social security number.

Safeguards: Stored in steel cabinets; available to authorized unit personnel.

Retention and disposal: Permanent retention.

System manager(s) and address: Director of Compensation and Certification, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Railroad employee and employer.

RRB-13

System name: Disclosure of Information Files—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Railroad employees, railroad retirement annuitants, and other individuals with some creditable railroad employment on whose records a request for information, in the form of a subpoena or otherwise, has been received by the Board.

Categories of records in the system: Copies of the request or subpoena and any related correspondence received or released by the Board. Reports on and copies of any motions filed to quash a subpoena. Copies of any records which may have been disclosed.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)) and Section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For internal Board use only.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Last name.

Safeguards: Stored in locking file cabinets in the Bureau of Law. Access to these files is restricted to attorneys, other employees in the Bureau of Law, and other Board employees with express permission of the head of the clerical section of the Bureau.

Retention and disposal: Retained permanently.

System manager(s) and address: Deputy General Counsel, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Individual himself, person(s) seeking information about the individual, and other records systems maintained by the Board.

RRB-14

System name: Freedom of Information Act Register—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611—Regional Offices: See Appendix I for addresses.

Categories of individuals covered by the system: Individuals whose requests for records fall within the scope of the Freedom of Information Act.

Categories of records in the system: Lists inquiries which fall within the scope of the Freedom of Information Act. Also shows the action taken in handling the inquiry.

Authority for maintenance of the system: 5 U.S.C. 552, Pub. L. 93-502.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be furnished to the Freedom of Information Committee, the Department of Justice and to the Office of Management and Budget in fulfilling their requirements under this Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Claim number and name.

Safeguards: Records are maintained in areas unaccessible to the general public; only authorized personnel have access to these records.

Retention and disposal: Destroyed by shredding five years after the annual report is furnished to Congress.

System manager(s) and address:

Chief Executive Officer
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Inquirer.

RRB-15

System name: Covered Abandoned Railroad Employers' Payroll Records—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Railroad employees.

Categories of records in the system: Service and compensation records of employees of abandoned railroads prior to 1937.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Retirement Act, or Railroad Unemployment Insurance Act and may be disclosed during the course of an administrative appeal hearing in which such records are relevant to the issue.

b. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his benefit or anticipated benefit and concerning the method of calculating that benefit may be disclosed to the labor organization official.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name, payroll number.

Safeguards: Available only to authorized unit personnel; building secured.

Retention and disposal: Permanent retention

System manager(s) and address: Director of Compensation and Certification, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Railroad employer.

RRB-16

System name: Social Security Administration Summary Earnings File—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Railroad employees and their auxiliary beneficiaries.

Categories of records in the system: Social security account number, name, date of birth, sex, social security claim status, creditable earnings from 1937 to date.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231(b)(6)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal use only.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and magnetic disk.

Retrievability: Social security account number and name.

Safeguards: Magnetic tape and magnetic disk: Computer and computer storage rooms are restricted to authorized personnel; on-line query safeguards include a lock/unlock password system; a terminal oriented transaction matrix; and an audit trail.

Retention and disposal: Magnetic tape and magnetic disk: Permanent retention; updated annually.

System manager(s) and address: Director of Compensation and Certification, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name, social security account number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Social Security Administration.

RRB-17

System name: Appeal Decisions from Initial Denials for Benefits Under the Provisions of the Railroad Retirement Act—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Appellants under the provisions of the Railroad Retirement Act.

Categories of records in the system: Narrative of the facts and law pertinent to the decision made by the appeals referee.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

b. Pursuant to a request from an employer covered by the Railroad Retirement Act, information regarding the Board's payment of benefits, the methods by which such benefits are calculated, entitlement data and present address may be released to the requesting employer for the purposes of determining entitlement to and rates of private supplemental pension, sickness or unemployment benefits and to calculate estimated benefits due.

c. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his benefit or anticipated benefit and concerning the method of calculating that benefit may be disclosed to the labor organization official.

d. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Retirement Act and may be disclosed during the course of an administrative appeal hearing in which such records are relevant to the issue.

e. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or that disclosure would be clearly in the furtherance of interest of the subject individual.

f. Information in this system of records may be released to the attorney representing such individual in connection with the individual's claim for benefits under the Railroad Retirement Act upon receipt of a letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

g. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Claim number or social security number.

Safeguards: Decision books are limited to review by authorized Board personnel.

Retention and disposal: Decisions are retained for a period of 15 years and then destroyed by shredding.

System manager(s) and address:

Director of Hearings and Appeals
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Information contained in the claim folder of an individual consisting of evidence furnished by doctors on the appellant's behalf, and Board-designated doctors as well as any and all information the appellant desires to submit, Social Security Administration, Veterans Administration.

RRB-18

System name: Travel and Miscellaneous Voucher Examining System—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Railroad Retirement Board employees.

Categories of records in the system: Travel vouchers, miscellaneous reimbursement vouchers.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)) and Section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Identifying information and check amount may be released to the Treasury Department to issue checks.

b. Records may be disclosed to the General Accounting Office for auditing purposes.

c. Identifying information, check number, date and amount may be released to the U.S. Postal Service for investigation of alleged forgery or theft of reimbursement checks.

d. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name.

Safeguards: Records are maintained in areas not accessible to the public and are not permitted to be removed without authorization; secured building.

Retention and disposal: Retain at headquarters for two years then to Chicago Federal Records Center—GSA will destroy when authorized by General Accounting Office.

System manager(s) and address:

Director of Budget and Fiscal Operations
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Employees travel records, memoranda from Regional Directors, and purchase orders.

RRB-19

System name: Payroll Record System–RRB.

System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system: Railroad Retirement Board employees.

Categories of records in the system: Time, leave, and payroll information.

Authority for maintenance of the system: Pay Acts as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. Salary and tax information may be disclosed to the Internal Revenue Service, the Social Security Administration, and state and city taxing authorities for tax purposes.

b. Service history including pay, benefits, salary deductions for retirement, and other information necessary may be disclosed to Civil Service Commission for use in computation of civil service annuities and to carry out its Government-wide personnel management functions.

c. Computer check issue tapes may be released to the Department of Treasury for issuance of salary checks.

d. Identification information, check number, data and amount, plus other supporting evidence may be forwarded to the U.S. Postal Service for investigation of alleged forgery or theft of salary checks.

e. The last addresses and employer information may be released to Department of Health, Education, and Welfare in conjunction with the Parent Locator Service.

f. Records may be disclosed to the General Accounting Office for auditing purposes.

g. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

h. A copy of the employee's Form W-2, Wage and Tax Statement, or other similar form containing the name, social security number, taxable earnings and amounts withheld, may be released to the state, city or other local jurisdiction which is authorized to tax the employee's compensation in accordance with a withholding agreement between the state, city or other local jurisdiction, and the Department of the Treasury or the Social Security Administration, or in absence thereof, in response to a written request from an appropriate official of the taxing jurisdiction to the Director of Budget and Fiscal Operations, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois, 60611.

i. For employees identified as having defaulted in the repayment of an obligation incurred under any statutory authority except the Internal Revenue Code, the Social Security Act or the U.S. tariff laws, pertinent payroll information, including home address information, may be disclosed to other Federal agencies for the purpose of collecting debts owed to those agencies or the RRB.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system

Storage: Paper, tape and microfilm.

Retrievability: Social security number and name.

Safeguards: Housed in security building and maintained in areas not accessible to the public; information released only at employee's request or to approved federal and local authorities.

Retention and disposal:

Consolidated pay tapes, first two master tapes, and last two master tapes for each year: Destroyed by erasing three years after close of calendar year in which prepared. Security record-current check issue tape: Destroyed by erasing when National Personnel Records Center receives second subsequent document covering same type of payment. Paper: Destroyed by shredding after three years. Microfilm: Retained until replaced by a new record, usually within one year. Obsolete microfilm is destroyed by shredding.

System manager(s) and address: Director of Budget and Fiscal Operations, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois. 60611.

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Railroad Retirement Board employees personnel action, time and attendance reports, deduction authorizations.

RRB-20

System name: Health Insurance and Supplementary Medical Insurance Enrollment and Premium Payment System (MEDICARE)–RRB.

System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611

District and Regional Offices: See Appendix I for addresses.

Categories of individuals covered by the system: Qualified Railroad Retirement beneficiaries who are eligible for medicare coverage, attending physicians, chiropractors and physical therapists.

Categories of records in the system: Claim number, social security number, name, address, type of beneficiary under the Railroad Retirement Act, date of birth, method of Supplementary Medical Insurance premium payment, enrollment status, amount of premium, paid-thru date, third party premium payment information, coverage jurisdiction determination, direct premium billing and premium refund accounting, correspondence from beneficiaries, physicians suspected of overutilization and those suspended from payment by Medicare.

Authority for maintenance of the system: Section 7(d) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(d)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. Beneficiary identification, enrollment status and premium deductions information may be released to the Social Security Administration and the Health Care Financing Administration to correlate actions with the administration of Title II and Title XVIII (MEDICARE) of the Social Security Act.

b. Beneficiary identification may be disclosed to third party contacts to determine if incapacity of the beneficiary or potential beneficiary to understand or use benefits exists, and to determine the suitability of a proposed representative payee.

c. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made from the record of the individual to the representative payee.

d. Data may be disclosed to Department of Health and Human Services for reimbursement for work done under reimbursement provisions of Title XVIII of the Social Security Act, as amended.

e. Jurisdictional clearance, premium rates, coverage election, paid-through date, and amounts of payments in arrears may be released to the Social Security Administration and the Health Care Financing Administration to assist those agencies in administering Title XVIII of the Social Security Act, as amended.

f. Beneficiary identification, premium rate and paid-thru date may be released to effect state buy-in and third party premium payments.

g. Payment data may be disclosed to consultants to determine reasonable charges for hospital insurance payments in Canada.

h. Entitlement data may be disclosed to primary beneficiaries regarding secondary beneficiaries (or vice versa) when the addition of such beneficiary affects entitlement.

i. Records may be released to contracts to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act and Social Security Act, as amended.

j.Last addresses information may be disclosed to Department of Health and Human Services in conjunction with the Parent Locator Service.

k. Beneficiary identification, entitlement data and rate information may be released to the Department of State and embassy officials, to the American Institute on Taiwan, and to the Veterans Administration Regional Office, Philippines, to aid in the development of applications, supporting evidence and the continued eligibility of beneficiaries and potential beneficiaries living abroad.

l. Records may be released to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under Title XVIII of the Social Security Act, as amended.

m. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

n. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act, information regarding the Board's determination of medicare entitlement, entitlement data and present address may be released to the requesting employer for the purposes of determining entitlement to and rates of supplemental benefits payable under private employer welfare benefit plans.

o. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his entitlement to medicare may be disclosed to the labor organization official.

p. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Retirement Act, or Social Security Act and may be disclosed during the course of an administrative appeal hearing which such records are relevant to the issue.

q. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

r. Information in this system of records may be released to the attorney representing such individual in connection with the individual's claim for benefits under the Railroad Retirement Act and Title XVIII of the Social Security Act, as amended, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

s. Information may be disclosed to the Department of the Treasury for the prupose of investigating alleged forgery or theft of Medicare reimbursement checks.

t. Information may be disclosed to the U.S. Postal Service for investigating alleged forgery or theft of Medicare checks.

u. Relevant information may be disclosed to the Office of the President for responding to an individual pursuant to an inquiry from that individual for a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, magnetic tape and microfilm.

Retrievability: Claim number, social security number, full name.

Safeguards: Records are maintained in areas not accessible by the public and are not permitted to be removed from headquarters without authorization.

Retention and disposal: Paper: Computer printouts are maintained for 1 year, then shredded. Applications material in individual claim folders with records of all actions pertaining to the payment or denial of claims are transferred to the Federal Records Center, Chicago, Illinois, 5 years after the date of last payment or denial activity if all benefits have been paid, no future eligibility is apparent and no erroneous payments are outstanding. The claim folder is destroyed 25 years after the date it is received in the center. Magnetic tape: Updated weekly. Obsolete tape is written over. Microfilm: Originals are kept for 3 years, transferred to the Federal Records Center and destroyed 3 years and 3 months after receipt at the center. Duplicate copies are destroyed by shredding after 18 months.

System manager(s) and address: Director of Retirement Claims, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure: Requests for information regarding an individual's records should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Applicant (the qualified railroad beneficiary), his/her representative, Social Security Administration, Health Care Financing Administration, The Travelers Insurance Company, Federal, State or local agencies, their party premium payers, all other Railroad Retirement Board files, physicians.

RRB-21

System name: Railroad Unemployment and Sickness Insurance Benefit System–RRB.

System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Regional and District Offices: See Appendix I for addresses.

Categories of individuals covered by the system: Applicants and claimants for unemployment and sickness (including maternity) benefits under the Railroad Unemployment Insurance Act: Some railroad employees injured at work who did not apply for Railroad Unemployment Insurance Act benefits; all railroad employees paid separation allowances.

Categories of records in the system:

Information pertaining to payment or denial of an individual's claim for benefits under the Railroad Unemployment Insurance Act: Name, address, sex, social security number, date of birth, total months of railroad service (including creditable military service), total creditable compensation for base year, last employer and date last worked before applying for benefits, last rate of pay in base year, reason not working, applications and claims filed, benefit information for each claim filed, disqualification periods and reasons for disqualification, entitlement to benefits under other laws, benefit recovery information about personal injury claims and pay for time not worked, medical reports, placement data, correspondence and telephone inquiries to and about the claimant, record of protest or appeal by claimant of adverse determinations made on his claims.

Authority for maintenance of the system: Section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 351, et. seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. Beneficiary identifying information may be disclosed to third party contacts to determine if incapacity of the beneficiary or potential beneficiary to understand or use benefits exists, and to determine the suitability of a proposed representative payee.

b. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made to the representative payee from the record of the individual.

c. Beneficiary identifying information, address, check rate, date and number may be released to the Treasury Department to control for reclamation and return outstanding benefit checks, to issue benefit checks, respond to reports of non-delivery and to insure delivery of check to the correct address of the beneficiary or representative payee.

d. Beneficiary identifying information, address, check rate, date and number, plus other necessary supporting evidence may be released to the U.S. Postal Service for investigation of alleged forgery or theft of railroad unemployment/sickness benefit checks.

e. A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter, provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

f. Under Section 2(f), the Railroad Retirement Board has the right to recover benefits paid to an employee who later receives remuneration for the same period, therefore, the Railroad Retirement Board may notify the person or company paying the remuneration of the Board's right to recovery and the amount of benefits to be refunded.

g. Under Section 12(o), the Railroad Retirement Board is entitled to reimbursement of sickness benefits paid on account of the infirmity for which damages are paid, consequently, the Railroad Retirement Board may send a notice of lien to the liable party, and, upon request by the liable party, advise the amount of benefits subject to reimbursement.

h. Records may be disclosed to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Unemployment Insurance Act.

i. Beneficiary identifying information, rate and entitlement data may be released to the Social Security Administration [illegible] relate actions with the administration of the Social Security Act.

j. The last addresses and employer information may be released to Department of Health and Human Services in conjunction with the Parent Locator Service.

k. Benefit rate, entitlement and periods paid may be disclosed to the Social Security Administration, Bureau of Supplemental Security Income to federal, state and local welfare or public aid agencies to assist them in processing applications for benefits under their respective programs.

l. Beneficiary identifying information, entitlement, rate and other pertinent data may be released to the Department of Labor in conjunction with payment of benefits under the Federal Coal Mine and Safety Act.

m.[Reserved]

n. Records may be referred to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under the Railroad Unemployment Insurance Act.

o. If a request for information pertaining to an individual is made by an official of a labor organization, of which the individual is a member, information from the record of the individual concerning his benefit or anticipated benefit and concerning the method of calculating that benefit may be disclosed to the labor organization official.

p. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act, information regarding the Board's payment of unemployment or sickness benefits, the methods by which such benefits are calculated, entitlement data and present address may be released to the requesting employer for the purposes of determining entitlement to and rates of private supplemental pension, sickness or unemployment benefits and to calculate estimated benefits due.

q. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

r. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Unemployment Insurance Act and may be disclosed during the course of an administrative appeal hearing in which such records are relevant to the issue.

s. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its function, indicates a violation, or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or the Railroad Unemployment Insurance Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

t. Non-medical information in this system of records may be released to the attorney representing such individual upon receipt of a written letter or declaration stating that fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual. Medical information may be released to an attorney when such records are requested for the purpose of contesting a determination either administratively or judicially.

u. Beneficiary identifying information, entitlement data, benefit rates and periods paid may be released to the Veterans Administration to verify continued entitlement to benefits.

v. Identifying information such as full name, social security number, employee identification number, date last worked, occupation, and location last worked may be released to any last employer to verify entitlement for benefits under the Railroad Unemployment Insurance Act.

w. The amount of unemployment benefits paid, if 10 dollars or more in a calendar year, and claimant identifying information, may be furnished to the Internal Revenue Service for tax administration purposes.

x. The name and address of a claimant may be released to a Member of Congress when the Member requests it in order that he or she may communicate with the claimant about legislation which affects the railroad unemployment insurance system.

y. Beneficiary identifying and claim period information may be furnished to states for the purposes of their notifying the RRB whether claimants were paid state unemployment or sickness benefits and also whether wages were reported for them. For claimants that a state identifies as having received state unemployment or sickness benefits, RRB benefit information may be furnished the state for the purpose of recovery of the amount of the duplicate payments which is made.

z. The amount of each sickness benefit that is subject to a tier 1 railroad retirement tax and the amount of the tier 1 tax withheld may be disclosed to the claimant's last railroad employer to enable that employer to compute its tax liability under the Railroad Retirement Tax Act.

aa. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

bb. The amount of sickness benefits paid and claimant identifying information, except for sickness benefits paid for an on-the-job injury, may be furnished to the Internal Revenue Service for tax administration purposes.

cc. Entitlement data and benefit rates may be released to any court, state agency, or interested party, or to the representative of such court, state agency, or interested party in connection with contemplated or actual legal or administrative proceedings concerning domestic relations and support matters.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, magnetic tape and microforms.

Retrievability: Social Security number (claim number) and name.

Safeguards: Records are maintained in areas not accessible to the public and are not permitted to be removed from headquarters without authorization.

Retention and disposal: Paper-transferred to the Chicago Federal Records Center one year after the end of the benefit year during which the case was closed. Destroyed by the General Services Administration five years after the end of the benefit year. In appeal cases, retention is permanent. In benefit recovery cases, the file is transferred to the Federal Records Center if there has been no recent activity; the file is not destroyed until five years after recovery has been completed. Magnetic tape-destroyed ten years after the end of the benefit year. Microforms-destroyed ten years after the end of the benefit year.

System manager(s) and address: Director of Unemployment and Sickness Insurance, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Applicant, claimant or his representative, physicians, employers, unemployment claims agents, labor organizations, federal, state, and local government agencies, all Railroad Retirement Board files, insurance companies, attorneys, congressmen, liable parties (in personal injury cases), funeral homes and survivors (for payment of death benefits).

RRB-22

System name: Railroad Retirement, Survivor, and Pensioner Benefit System—RRB.

System location: U.S. Railroad Retirement Board,844 Rush Street, Chicago, Illinois 60611

Regional and District Offices: See Appendix I for addresses.

Categories of individuals covered by the system: Applicants for retirement and survivor benefits, their dependents (spouses, divorced spouses, children, parents, grandchildren), individuals who filed for lump-sum death benefits and/or residual payments.

Categories of records in the system:

Information pertaining to the payment or denial of an individual's claim for benefits under the Railroad Retirement Act: Name, address, social security number, claim number, proofs of age, marriage, relationship, military service, creditable earnings and service months (including military service), entitlement to benefits under the Social Security Act, programs administered by the Veterans Administration, or other benefit systems, rates, effective dates, medical reports, correspondence and telephone inquiries to and about the beneficiary, suspension and termination dates, health insurance effective date, option, premium rate and deduction, direct deposit data, employer pension information, citizenship status and legal residency status (for annuitants living outside the United States), and tax withholding information (instructions of annuitants regarding number of exemptions claimed and additional amounts to be withheld, as well as actual amounts withheld for tax purposes).

Authority for maintenance of the system:

Section 7(b)(6) of the Railroad Retirement Act of 1974 (U.S.C. 231f(b)(6)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. Beneficiary identifying information may be disclosed to third party contacts to determine if incapacity of the beneficiary or potential beneficiary to understand or use benefits exists, and to determine the suitability of a proposed representative payee.

b. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made to the representative payee from the record of the individual.

c. Entitlement and benefit rates may be released to primary beneficiaries regarding secondary beneficiaries (or vice versa) when the addition of such beneficiary affects either the entitlement or benefit payment.

d. Identifying information such as full name, address, date of birth, social security number, employee identification number, and date last worked, may be released to any last employer to verify entitlement for benefits under the Railroad Retirement Act.

e. Benefit rates, names, and addresses may be released to the Department of the Treasury to control for reclamation and return of outstanding benefit payments, to issue benefit payments, act on report of non-receipt, to insure delivery of payments to correct address of the beneficiary or representative payee or to the proper financial organization, and to investigate alleged forgery, theft or unlawful negotiation of railroad retirement or social security benefit checks or improper diversion of payments directed to a financial organization.

f. Beneficiary identifying information, address, check rate, date, number and other supporting evidence may be released to the U.S. Postal Service for investigation of alleged forgery or theft of railroad retirement or social security benefit checks.

g. Beneficiary identifying information, entitlement data, medical evidence and related evaluatory data and benefit rate may be released to the Social Security Administration and the Health Care Financing Administration to correlate actions with the administration of Title II and Title XVIII of the Social Security Act, as amended.

h. Beneficiary identifying information, including social security account number, and supplemental annuity amounts may be released to the Internal Revenue Service, State and local taxing authorities for tax purposes (Form G-1099, for those annuitants receiving supplemental annuities).

i. Beneficiary identifying information, entitlement, benefit rates, medical evidence and related evaluatory data, and months paid may be furnished to the Veterans Administration for the purpose of assisting that agency in determining eligibility for benefits or verifying continued entitlement to and the correct amount of benefits payable under programs which it administers.

j. Beneficiary identifying information, entitlement data and benefit rates may be released to the Department of State and embassy and consular officials, to the American Institute on Taiwan, and to the Veterans Administration Regional Office, Philippines, to aid in the development of applications, supporting evidence, and the continued eligibility of beneficiaries and potential beneficiaries living abroad.

k. Beneficiary identifying information, entitlement, benefit rates and months paid may be released to the Social Security Administration, Bureau of Supplemental Security Income, Health Care Financing Administration, to federal, state and local welfare or public aid agencies to assist them in processing applications for benefits under their respective programs.

l. The last addresses and employer information may be released to the Department of Health and Human Services in conjunction with the Parent Locator Service.

m. Beneficiary identifying information, entitlement, rate and other pertinent data may be released to the Department of Labor in conjunction with payment of benefits under the Federal Coal Mine and Safety Act.

n. [Reserved]

o. Medical evidence may be released to Board-appointed medical examiners to carry out their functions.

p. Information obtained in the administration of Title XVIII (Medicare) which may indicate unethical or unprofessional conduct of a physician or practitioner providing services to beneficiaries may be released to Professional Standards Review Organizations and State Licensing Boards.

q. Information necessary to study the relationship between benefits paid by the Railroad Retirement Board and civil service annunities may be released to the Office of Personnel Management.

r. Records may be disclosed to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under Title II and Title XVIII of the Social Security Act, as amended, or the Railroad Retirement Act.

s. Records may be released to contractors to fulfull contract requirements pertaining to specific activities related to the Railroad Retirement Act.

t. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

u. Pursuant to a request from an employer covered by the Railroad Retirement Act or the Railroad Unemployment Insurance Act, or from an organization under contract to an employer or employers, information regarding the Board's payment of retirement benefits, the methods by which such benefits are calculated, entitlement data and present address may be released to the requesting employer or the organization under contract to an employer or employers for the purposes of determining entitlement to and rates of private supplemental pension, sickness or unemployment benefits and to calculate estimated benefits due.

v. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his benefit or anticipated benefit and concerning the method of calculating that benefit may be disclosed to the labor organization official.

w. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under the Railroad Retirement Act, and may be disclosed during the course of an administrative appeal hearing in which such records are relevant to the issue.

x. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

y. Information in this system of records may be released to the attorney representing such individual in connection with the individual's claim for benefits under the Railroad Retirement Act, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

z. The amount of a residual lump-sum payment and the identity of the payee may be released to the Internal Revenue Service for tax audit purposes.

aa. The amount of any death benefit or annuities accrued but unpaid at death and the identity of such payee may be released to the appropriate state taxing authorities for tax assessment and auditing purposes.

bb. Beneficiary identifying information, including but not limited to name, address, social security account number, payroll number and occupation, the fact of entitlement and benefit rate may be released to the Pension Benefit Guaranty Corporation to enable that agency to determine and pay supplemental pensions to qualified railroad retirees.

cc. Medical records may be disclosed to vocational consultants in administrative proceedings.

dd. Date employee filed application for annuity to the last employer under the Railroad Retirement Act for use in determining entitlement to continued major medical benefits under insurance programs negotiated with labor organizations.

ee. Information regarding the determination and recovery of an overpayment made to an individual may be released to any other individual from whom any portion of the overpayment is being recovered.

ff. The name and address of an annuitant may be released to a Member of Congress when the Member requests it in order that he or she may communicate with the annuitant about legislation which affects the railroad retirement system.

gg. Certain identifying information about annuitants, such as name, SSA number, RRB claim number, and date of birth, as well as address, year and month last worked for a railroad, last railroad occupation, application filing date, annuity beginning date, identity of last railroad employer, total months of railroad service, sex, disability onset date, disability freeze onset date, and cause and effective date of annuity termination may be furnished to insurance companies for administering group life and medical insurance plans negotiated between certain participating railroad employers and railway labor organizations.

hh. For payments made after December 31, 1983, beneficiary identifying information, address, amounts of benefits paid and repaid, beneficiary withholding instructions, and amounts withheld by the RRB for tax purposes may be furnished to the Internal Revenue Service for tax administration purposes.

ii. Relevant information may be disclosed to the Office of the President for responding to an individual pursuant to an inquiry from that individual or from a third party in his/her behalf.

jj. Last address and beneficiary identifying information may be furnished to railroad employers for the purpose of mailing railroad passes to retired employees and their families.

kk. Entitlement data and benefits rates may be released to any court, state agency, or interested party, or to the representative of such court, state agency, or interested party, in connection with contemplated or actual legal or administrative proceedings concerning domestic relations and support matters.

ll. Identifying information abouit annuitants and applicants may be furnished to agencies and/or companies from which such annuitants and applicants are receiving or may receive worker's compensation, public pension, or public disability benefits in order to verify the amount by which Railroad Retirement Act benefits must be reduced, where applicable.

mm. Disability annuitant identifying information may be furnished to state employment agencies for the purpose of determining whether such annuitants were employed during times they receive disability benefits.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, microforms, magnetic tape and magnetic disk.

Retrievability:

Claim number, social security number and full name.

Safeguards: Papers and microforms: Maintained in areas not accessible to the public, offices are locked during non-business hours. Magnetic tape and magnetic disk: Computer and computer storage rooms are restricted to authorized personnel; on-line query safeguards include a lock/unlock password system, a terminal oriented transaction matrix and an audit trail; for computerized records electronically transmitted between headquarters and field office locations, system securities are established in accordance with National Bureau of Standards guidelines. In addition to the on-line query safeguards, they include encryption of all data transmitted and exclusive use of leased telephone lines.

Retention and disposal:

Paper: Individual claim folders with records of all actions pertaining to the payment of claims are transferred to the Federal Records Center, Chicago, Illinois 5 years after the date of last payment or denial activity if all benefits have been paid, no future eligibility is apparent and no erroneous payments are outstanding. The claim folder is destroyed 25 years after the date it is received in the center. Accounts receivable listings and checkwriting operations daily activity listings are transferred to the Federal Records Center 1 year after the date of issue and are destroyed 6 years and 3 months after receipt at the center. Other paper listings are destroyed 1 year after date of issue. Change of address source documents are transferred to the Federal Records Center 6 months after date of completion and are destroyed 4 years and 6 months after receipt at the center. Microforms: Originals are kept for 3 years, transferred to the Federal Records Center, and destroyed 3 years and 3 months after receipt at the center. One duplicate copy is kept 2 years and destroyed by shredding. All other duplicate copies are kept 1 year and destroyed by shredding. Magnetic tape: Magnetic tape records are used to daily update the disk file, are retained for 90 days and then written over. Magnetic disk: Continually updated and permanently retained.

System manager(s) and address: Director of Retirement Claims, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611

Notification procedure:

Requests for information regarding an individual's records should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any records will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

Individual applicants or their representatives, railroad employers, other employers, physicians, labor organizations, federal, state and local government agencies, attorneys, funeral homes, congressmen, schools, foreign government.

RRB-23

System name: Four Percent Wage History of Railroad Workers—RRB.

System location: U.S. Railroad Retirement Board

844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Individuals with service creditable under the Railroad Retirement Act having a social security number ending 30, 35, 80 or 85.

Categories of records in the system: Service earnings and retirement and death data for these selected individuals.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act and the Railroad Unemployment Insurance Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape.

Retrievability: Social Security account number.

Safeguards: Secured building.

Retention and disposal: Permanent retention.

System manager(s) and address:

Director of Research
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Data is secured from reports to the Board by railroad employers.

RRB-24

System name: Research Master Record for Lump Sum and Residual Awards Under the Railroad Retirement Act—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: A lump-sum is paid to widow or payer of burial expenses when there is no person eligible for a monthly insurance benefit. Residual payment is made to a designated beneficiary whenever entitlement to all other types of benefits has ended, provided the gross residual amount has not been exhausted by other payments.

Categories of records in the system: Master benefit file contains beneficiary characteristics, payment and administrative data for deceased employees with respect to whom lump-sum and/or residual benefits were paid.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6))

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and microfilm.

Retrievability: By claim number.

Safeguards: Magnetic tape and microfilm available to authorized personnel only.

Retention and disposal: Magnetic tape retained for two years then written over. Microfilm retained for one year and shredded.

System manager(s) and address:

Director of Research
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Data entered from benefit award forms and application.

RRB-25

System name: Research Master Record for Survivor Beneficiaries Under the Railroad Retirement Act—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Widowed mothers, aged and disabled widow(er)s, children and parents, survivor option annuitants.

Categories of records in the system: Survivor master benefit file contains historical, computational and statistical benefit data in numerical sequence by claim number.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6))

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Records may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act.

b. Records may be released to the Internal Revenue Service for the purpose of their checking amounts shown on individual tax returns as pensions and annuities received under the Railroad Retirement Act.

c. Benefit data regarding persons who, it is determined, are both RRB and VA beneficiaries may be furnished to the Veterans Administration for the purpose of assisting the VA in the administration of its income dependent benefit programs.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and microfilm.

Retrievability: By claim number.

Safeguards: Magnetic tape and microfilm available to authorized personnel only.

Retention and disposal: Magnetic tape retained for two years then written over. Microfilm retained for one year and shredded.

System manager(s) and address:

Director of Research
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Application, benefit award forms, disability determinations and Social Security Administration.

RRB-26

System name: Research Master Record for Retired Railroad Employees and their Dependents—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Retirement and pension annuitants, spouse and ineligible person (IPI) included in benefit paid.

Categories of records in the system: Retirement master benefit file contains historical, computational and statistical benefit data.

Authority for maintenance of the system: Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6))

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Records may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad, Retirement Act.

b. Records may be released to the Internal Revenue Service for the purpose of their checking amounts shown on individual tax returns as pensions and annuities received under the Railroad Retirement Act.

c. Benefit data regarding persons who, it is determined, are both RRB and VA beneficiaries may be furnished to the Veterans Administration for the purpose of assisting the VA in the administration of its income dependent benefit programs.

d. Disability annuitant identifying information may be furnished to state employment agencies for the purpose of determining whether such annuitants were employed during times they receive disability benefits.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and microfilm.

Retrievability: By claim number.

Safeguards: Magnetic and microfilm available to authorized personnel only.

Retention and disposal: Magnetic tape retained for two years then written over. Microfilm retained for one year and shredded.

System manager(s) and address:

Director of Research
U.S. Railroad Retirement Board

844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Benefit award forms, Social Security Administration, application, disability rating and freeze determinations, and other Railroad Retirement Board files.

RRB-27

System name: Railroad Retirement Board-Social Security Administration Financial Interchange System—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: One-percent sample of present and former railroad employees and members of their families who would have been eligible for social security benefits if railroad employment had been covered by the social security system.

Categories of records in the system: Claim number, social security number, date of birth, and administrative cost and payment data on imputed and actual social security benefits.

Authority for maintenance of the system: Section 7(c)(2) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(c)(2))

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Findings, including individual records, may be released to the Social Security Administration, determining amounts which, if added to or subtracted from the OASDI Trust Funds, would place the Social Security Administration in the position it would have been if employment covered by the Railroad Retirement Act had been covered by the Social Security Insurance Contributions Acts.

b. Information may be released to the General Accounting Office for auditing purposes.

c. Records may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act and the Railroad Unemployment Insurance Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and paper.

Retrievability: Claim and social security account numbers.

Safeguards: Records are maintained in areas not accessible to the public and are not permitted to be removed.

Retention and disposal: Retained indefinitely, except that periodically, inactive materials are sent to the Federal Records Center to be retained for ten years, then destroyed by the General Services Administration.

System manager(s) and address:

Director of Research
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security account number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Annuitants, the Social Security Administration, and other Railroad Retirement Board files.

RRB-28

System name: One Percent Historical File of Railroad Unemployment and Sickness Beneficiaries—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Individuals receiving unemployment and sickness benefits whose social security number ended in 30 for years 1939-1965 and 00 for years 1967 to date.

Categories of records in the system: Benefit data relating to the individual.

Authority for maintenance of the system: Section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1))

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Unemployment Insurance Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Tape.

Retrievability: Social security account number sequence.

Safeguards: Secured building.

Retention and disposal: Permanent file.

System manager(s) and address:

Director of Research
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Data is secured from benefit payment file used by Bureau of Unemployment and Sickness Insurance.

RRB-29

System name: Railroad Employees' Cumulative Gross Earnings Master File—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Railroad workers whose social security account number ends in "30" who have worked in the railroad industry from 1951 through the present.

Categories of records in the system: Gross earnings by individual by month, quarter or year.

Authority for maintenance of the system: Section 7(c) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(c)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records may be released to contractors to fulfill contract requirements pertaining to specific activities related to the Railroad Retirement Act and the Railroad Unemployment Insurance Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape, paper listings, punch cards.

Retrievability: Social security account number.

Safeguards: Records are maintained in areas not accessible to the public and are not permitted to be removed; secured building.

Retention and disposal: Paper and punch cards are kept for 10 years, then disposed of by the Federal Records Center. Updated historical magnetic tape is kept permanently.

System manager(s) and address:

Director of Research
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security account number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

RRB-33

System name: Federal Employee Incentive Awards System—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Railroad Retirement Board employees who have submitted suggestions or have been nominated for awards.

Categories of records in the system: Employee suggestions, special achievement awards, quality increase awards, public service awards, government-sponsored awards.

Authority for maintenance of the system: Chapter 45, Title 5, U.S. Code.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be released to the public media for public relations purposes.

b. Records may be disclosed to the General Accounting Office for auditing purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: System indexed by number assigned when suggestion or nomination is received. Suggestions are cross-referenced by name of suggester and subject of suggestion.

Safeguards: Only authorized staff has access to the files.

Retention and disposal: Denied suggestions are purged and destroyed five years after denial date. Adopted suggestions are retained permanently as are all special achievement and quality increase recommendations.

System manager(s) and address:

Chairman, Incentive Awards Committee
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Suggestion or award submitted by suggester or nominator. Suggestions submitted by employees; recommendations for award submitted by supervisory personnel.

RRB-34

System name: Employee Personnel Management Files—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611
Regional and District Offices:
See Appendix I of publication for addresses.

Categories of individuals covered by the system: Current employees of the U.S. Railroad Retirement Board.

Categories of records in the system: Name, address and phone number of the person to notify in case of emergency and personal physician; copies of (1) pay change slip, (2) bi-weekly statement of earnings and leave, (3) SF-52, Request for Personnel Action, (4) SF-50, Personnel Action, (5) service computation date form, (6) written requests for leave, (7) performance ratings, (8) incentive awards program suggestions and awards, (9) other awards and nominations for recognition, (10) supervisory informal and formal written notes, memorandums, etc., relative to admonishment, caution, warnings, reprimand or similar notices, (11) within-grade increase materials, (12) SF-171, Employment Application, (13) credit or debt correspondence, (14) letters of commendation, (15) official position descriptions, (16) probationary letters, (17) performance plans, (18) information concerning training received and seminars attended, and (19) miscellaneous correspondence.

Authority for maintenance of the system: Section 7(b)(9) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(9)) and the Federal Personnel Manual 293-31—Subchapter S-8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be disclosed in a court proceeding and may be disclosed during the course of an administrative appeal hearing in which such records are relevant to the issue.

c. A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letter of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

d. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

e. Information in this system of records may be released to the attorney representing such individual, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

f. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Name of employee.

Safeguards: Kept in lockable file cabinets or lockable desks in secured building, with access limited to authorized personnel.

Retention and disposal: The folder and its contents will be destroyed by hand-shredding within 30 days after the employee leaves the bureau or region. Specific materials in these files are disposed of in accordance with applicable Civil Service Commission and GSA instructions or regulations and/or applicable internal administrative directives.

System manager(s) and address: The system managers are listed below.

For departmental employees:
Director of Personnel
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611
For field employees:
Regional Director of region where person is employed
(See Appendix I of publication for addresses).

Notification procedure: Requests for information regarding an individual's record should be addressed to the System Manager identified above, including the full name and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification procedure above.

Contesting record procedures: See Notification procedure above.

Record source categories: Employee, agency officials and management personnel.

RRB-35

System name: Employee Skills File—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street

Chicago, Illinois 60611

Categories of individuals covered by the system: Current Railroad Retirement Board employees excluding: (1) All employees who occupy positions at the GS-14 level and above; (2) district managers, GS-13; (3) Board appointees; and (4) medical personnel, attorneys and actuaries.

Categories of records in the system: Board seniority date; performance rating and plan; merit pay performance appraisal rating; and an extract from the official personnel folder showing experience, education, special skills, and a synopsis of unsatisfactory or outstanding performance rating memoranda, denials of within-grade increases, letters of commendation, work-related awards, and disciplinary action memoranda and warning notice.

Authority for maintenance of the system: Railroad Retirement Board Order 75-3, written in accordance with section 7(b)(9) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(9))

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

b. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

c. Records may be disclosed in a court proceeding and may be disclosed during the course of an administrative appeal hearing in which such records are relevant to the issue.

d. Information in this system of records regarding an individual's work performance for the Railroad Retirement Board may be released to the attorney representing such individual, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

e. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Name of employee.

Safeguards: Kept in lockable file cabinets in a secured building, with access limited to authorized personnel.

Retention and disposal: Retained until the employee terminates employment with the Board or enters into one of the positions exempted under "Categories of individuals" above. The material is updated as new information is received. Superseded materials are destroyed by shredding.

System manager(s) and address:

Director of Personnel
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be addressed to the System Manager identified above and should include the name and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: The individual to whom it applies, his official personnel folder and supervisory personnel.

RRB-36

System name: Complaint, Grievance, Disciplinary and Adverse Action Files—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Railroad Retirement Board employees who are the subjects of disciplinary or adverse actions or who have filed a complaint or grievance.

Categories of records in the system: Information relating to proposals and decisions in cases of discipline and adverse actions; including supporting documents; information relating to grievances filed under the agency and negotiated grievance procedures, including the grievance, final decision and any evidence submitted by the employee and/or the agency in support of or contesting the grievance.

Authority for maintenance of the system: Title 5 USC sections 4303, 7121, 7503, 7513, and Pub. L. 95–454.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

b. Information in this system of records may be released to the attorney representing such individual, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

c. Records may be disclosed to the Merit Systems Protection Board or an arbitrator to adjudicate an appeal, complaint, or grievance.

d. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name of employee.

Safeguards: Maintained in locked file cabinets in an area not accessible to the public.

Retention and disposal: Maintained for four years, then destroyed by shredding.

System manager(s) and address:

Director of Personnel
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be addressed to the System Manager identified above and should include the name and social security number of the individual involved. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: The Railroad Retirement Board employee, the employee's supervisor, bureau or regional director, the executive director, or the employee's representative.

RRB-37

System name: Medical Records on Railroad Retirement Board Employees-RRB.

System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system: All Board employees who utilize the Medical Service section and any building employee involved in a medical emergency requiring medical treatment.

Categories of records in the system: Name, date of examination, date of birth, brief narrative statement of the employee's general health and significant medical problem, chief complaint, physical findings and recommended action.

Authority for maintenance of the system: Railroad Retirement Board Order 75-6, written in accordance with section 7(b)(9) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(9)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For internal Board use only.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name.

Safeguards: Locked filing cabinets, only authorized personnel are permitted to access.

Retention and disposal: Maintained until 1 year after the termination of employment, then shredded.

System manager(s) and address: Medical Service Section Nurse, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure: Requests for information regarding an individual's records should be in writing addressed to the System Manager identified above, including full name and social security number of the individual. Before any information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Physician, medical personnel, Railroad Retirement Board employee.

RRB-38

System name: Regional Rail Reorganization Act Reimbursement System—RRB.

System location:

U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Categories of individuals covered by the system: Any railroad employee who may be eligible for displacement, separation, termination or moving expense payments under Title V of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 771-779).

Categories of records in the system: Information as to the amount of displacement, separation, termination or moving expenses paid by the employer to the employee, the basis for the payment, the kind of payment made, and if applicable, the period for which payment was made, RUIA benefits paid and recovered, railroad retirement taxes paid on payments covered under Regional Rail Reorganization Act Reimbursement System, RUIA contributions paid, hours worked in railroad service, effective date of separation, health/welfare premiums, FICA contributions, moving and related expenses. Identifying information includes the name of the employee, his social security account number, his employee identification number, job and employer code.

Authority for maintenance of the system: Title V, Section 509 of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 779).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Information received from sources other than the employer which conflicts with information furnished by the employer in support of its reimbursement claims may be released to the employer to the extent needed to resolve the conflict.

b. A list of RUIA benefit claimants, amounts paid and periods covered, plus identifying information, may be disclosed to any employer requesting reimbursement for displacement, separation, termination or moving expenses for which a reimbursement set-off must be made.

c. If a request for information pertaining to an employee is made by an official of a labor organization of which the employee is a member and the request is made on behalf of the employee, information may be released to the extent needed to respond to the inquiry.

d. Disclosure may be made to a congressional office from the employee's record in response to an inquiry from the congressional office made at the request of the employee.

e. Information in this system of records regarding a reimbursement claim pertaining to an employee may be released to the attorney representing such employee, with respect to such claim, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject employee.

f. Information may be released to private contractors to the extent needed to fulfill contract requirements.

g. Information may be released to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under the Regional Rail Reorganization Act of 1973 or the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.).

h. Information may be released to the Department of Justice and to courts of competent jurisdiction in response to properly issued subpoenas, provided that disclosure would be for a purpose related to enforcement of the Regional Rail Reorganization Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

i. In the event that this system of records maintained by the Railroad Retirement Board to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in this system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, or local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

j. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, magnetic tape and microforms.

Retrievability: Social security number and name.

Safeguards: Records are maintained in areas not accessible to the public and are not permitted to be removed from headquarters without authorization.

Retention and disposal: Upon receipt of authorization from the General Accounting Office to destroy records, magnetic tape will be written over and microform records will be shredded.

System manager(s) and address:

Director of Unemployment and Sickness Insurance
U.S. Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

Notification procedure: Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures: See Notification section above.

Contesting record procedures: See Notification section above.

Record source categories: Employee or his representative, employers, unemployment claims agents, labor organizations, and all Railroad Retirement Board files.

RRB—39

System name:

Milwaukee Railroad Restructuring Act Benefit System.

System location: U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611

Categories of individuals covered by the system:

Any employee of the Milwaukee Railroad who may be eligible for supplementary unemployment insurance, new career training assistance, or employee protection benefits under the Milwaukee Railroad Restructuring Act (45 U.S.C. 901-922).

Categories of records in the system:

Identifying information includes the name of the employee, his social security account number, his address, his date of birth, his occupation code, and employer code. For individuals eligible for supplementary unemployment insurance benefits, information as to qualifications for benefits; railroad earnings during the period from June 1977 through November 1979; monthly benefit rate; month and year of benefit claim; reason not working; amounts deducted for Railroad Unemployment Insurance Act benefits, state unemployment benefits, earnings from all employment and self-employment; amounts paid and dates of payments for benefit claims; verifying information from employers and governmental agencies; amounts owed and the reasons for the indebtedness; amounts recovered and the sources of repayments. For individuals eligible for new career training assistance, information as to qualifications for benefits; schools attended and courses taken; proof of payment for tuition, room, board, fees, and educational materials; amounts paid and dates of payments; amounts owed and the reasons for the indebtedness; amounts recovered and the sources of repayments. For individuals eligible for employee protection payments, information as to the amount of relocation incentive compensation, interim employee assistance, separation allowance, and moving expenses to be paid by the employer to the employee; and kind of payment due the employee and, if applicable, the period for which payment is to be made; Railroad Unemployment Insurance Act benefits, state unemployment benefits, earnings from employment; if applicable, market value of home, sale price of home, moving and related expenses.

Authority for maintenance of the system:

Sections 9, 10, 11, and 12 of the Milwaukee Railroad Restructuring Act (45 U.S.C. 908–11).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. Information received from the employee may be released to his employer, the Social Security Administration, the Department of Labor, the Veterans Administration, state unemployment compensation agencies, and other similar governmental agencies to the extent needed to verify the employee's claim and to resolve conflicts in information.

b. Identifying information, address and check amount may be released to the Treasury Department or the Milwaukee Railroad, if applicable, to issue benefit checks, to control for reclamation and return of checks to respond to the reports of non-delivery of checks, and to ensure delivery of checks to the correct address of the beneficiary.

c. Identifying information, address, check amount, and necessary supporting evidence may be released to the U.S. Postal Service or the Treasury Department for investigation of alleged forgery or theft of benefit checks.

d. Records may be referred to the General Accounting Office for auditing purposes and for collection of debts arising under the Milwaukee Railroad Restructuring Act.

e. Records may be disclosed in a court proceeding relating to any claims for benefits under the Milwaukee Railroad Restructuring Act and may be disclosed during the course of an administrative appeal hearing in which such records are relevant to the issue.

f. Disclosure may be made to a congressional office from the individual's record in response to an inquiry from the congressional office made at the request of the individual.

g. Disclosure may be made to an official of a labor organization of which the individual is a member in response to an inquiry from the labor organization official on behalf of or at the request of the individual.

h. Disclosure may be made to the attorney representing such individual upon receipt of a letter or written declaration stating the fact of representation, subject to the same procedures and regulatory prohibitions as the subject individual.

i. A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter, provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

j. Records may be disclosed to contractors to fulfull contract requirements pertaining to specific activities related to the Milwaukee Railroad Restructuring Act.

k. The last addresses and employer information may be released to Department of Health and Human Services in conjunction with the Parent Locator Service.

l. Benefit rate, entitlement, and periods paid may be disclosed to the Social Security Administration, Bureau of Supplemental Security Income, and to federal, state, and local welfare or public aid agencies to assist them in processing applications for benefits under their respective programs.

m. Beneficiary identifying information, entitlement, rate and other pertinent data may be released to the Department of Labor in conjunction with payment of benefits under the Federal Coal Mine and Safety Act.

n. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its function, indicates a violation, or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charges with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Milwaukee Railroad Restructuring Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

o. Information may be released to the Department of Justice and to courts of competent jurisdiction in response to properly issued subpoenas, provided that disclosure would be for a purpose related to the enforcement of the Milwaukee Railroad Restructuring Act or provided that dislosure would be clearly in the furtherance of the interest of the subject individual.

p. The amount of supplementary unemployment insurance paid, if 10 dollars or more in a calendar year, and claimant identifying information may be furnished to the Internal Revenue Service for tax administration purposes.

q. Relevant information may be furnished to the Office of the Presidentfor responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper, magnetic tape, magnetic disk and microforms.

Retrievability:

Social security number and name.

Safeguards:

Paper and microforms are maintained in areas not accessible to the public; offices are locked during the non-business hours. Magnetic tape and magnetic disks: Computer and computer storage rooms are restricted to authorized personnel; on-line query safeguards include a lock/unlock password system, a terminal oriented transaction matrix and an audit trail. For computerized records electronically transmitted between headquarters and field office locations, systems securities are established in accordance with National Bureau of Standards guidelines. In addition to the on-line query safeguards, they include encryption of all data transmittted and exclusive use of leased telephone lines.

Retention and disposal:

All records will be retained until January 1990, which is 5 years after the end of the benefit programs. Paper and microforms will be destroyed by shredding. Information on magnetic tapes and disks will be erased.

System manager(s) and address:

Director of Unemployment and Sickness Insurance, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611

Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

Employee or his representative, employers, labor organizations, governmental agencies, real estate appraisers, and all Railroad Retirement Board files.

RRB-40

System name:

Regional Rail Reorganization Act Title VII Benefit System-RRB.

Categories of individuals covered by the system:

Persons eligible for separation allowances, reimbursement for moving expenses, reimbursement for new career training expenses, health and welfare insurance coverage and daily subsistence allowances under Title VII of the Regional Reorganization Act of 1973.

Categories of records in the system:

Identifying information such as name, address, social security number, date of birth, occupational code and employer code; information pertaining to the payment or denial of a claim under Title VII of the Regional Rail Reorganization Act, last rate of pay, reason not working, application and claims filed, information as to the amount of separation allowance, subsistence allowance, health-welfare premiums, moving expenses, new career training assistance and dates paid, erroneous payment investigations and benefit recovery information; the amount of income taxes deducted and remitted to the Internal Revenue Service; for new career assistance, information as to schools attended, courses taken and proof of payment of expenses; for moving expenses, if applicable, market value of residence and sale price of residence.

Authority for maintenance of the system:

Pub. L. 97–92, Joint Resolution.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Identifying information such as full name, social security number, employee identification number, occupation, location and date last worked and reason not working may be released to ConRail or the last employer to verify entitlement for benefits under Title VII of the Regional Rail Reorganization Act of 1973.

b. Information may be released to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under Title VII of the Regional Rail Reorganization Act (45 U.S.C. 701).

c. Name, social security number, address, coverage election, premium payments and paid-through date may be released to the health-welfare insurer to correlate insurance coverage.

d. Name and address may be released to real estate agencies for the purpose of determining fair market value of homestead property.

e. Records may be disclosed in a court proceeding relating to any claims for benefits by the beneficiary under Title VII of the Regional Rail Reorganization Act of 1973 and may be disclosed during the course of an administrative appeal hearing in which such records are relevant to the issue.

f. If a request for information pertaining to an employee is made by an official of a labor organization of which the employee is a member and the request is made on behalf of the employee, information may be released to the extent needed to respond to the inquiry.

g. Disclosure may be made to a congressional office from the employee's record in response to an inquiry from the congressional office made at the request of the employee.

h. Information in this system of records pertaining to an employee may be released to the attorney representing such employee, with respect to his claim, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibition as the subject employee.

i. Information may be released to private contractors to the extent needed to fulfill contract requirements.

j. The last addresses and employer information may be released to the Department of Health and Human Services in conjunction with the Parent Locator Service.

k. Beneficiary identifying information, address, check rate, date and number may be released to the Treasury Department to control for reclamation and return of outstanding benefit checks, to issue benefit checks, respond to reports of non-delivery and to insure delivery of checks to the correct address of the beneficiary or representative payee.

l. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its function, indicates a violation, or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

m. Beneficiary identifying information, address, check rate, date and number, plus other necessary supporting evidence may be released to the U.S. Postal Service for investigation of alleged forgery or theft of Title VII benefit checks.

n. A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

o. Information may be released to the Department of Justice and to courts of competent jurisdiction in response to properly issued subpoenas.

p. Benefit rate, entitlement and periods paid may be disclosed to the Social Security Administration, Bureau of Supplemental Security Income, to federal, state and local welfare or public aid agencies to assist them in processing applications for benefits under their respective programs.

q. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made to the representative payee from the record of the individual.

r. Any information in this system of records may be disclosed to the Department of Transportation for the purpose of auditing the RRB's administration of the benefit program.

s. Name, SSN, address, benefits paid, and amounts withheld from benefit payments for tax purposes may be reported to the Internal Revenue Service for purposes of tax administration.

t. Name, SSN, address, and benefits paid may be furnished to state and local taxing authorities for the purposes of tax administration.

u. Relevant information may be furnished to the Officeof the President for responding to an individual pursuant to an inquiry from that individual or third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper, magnetic tape, magnetic disk and microforms.

Retrievability:

Social security number.

Safeguards:

Paper and microforms: Maintained in areas not accessible to the public; offices are locked during non-business hours. Magnetic tape and magnetic disk: Computer and computer storage rooms are restricted to authorized personnel; on-line query safeguards include a lock/unlock password system, a terminal oriented transaction matrix and an audit trail. For computerized records electronically transmitted between headquarters and field office locations, systems securities are established in accordance with National Bureau of Standards guidelines. In addition to the on-line query safeguards, they include encryption of all data transmitted and exclusive use of leased telephone lines.

Retention and disposal:

All records will be retained for 5 years following the year in which the case was closed.

System manager(s) and address:

Director of Unemployment and Sickness Insurance, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure:

Requests for information regarding an individual's record should be addressed to the System Manager identified above and should include the name and social security number of the individual involved. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

The information in this system of records is obtained from the railroad employee or his representative, employers, labor organizations, other Railroad Retirement Board files, real estate agencies (for payment of moving expenses), and educational institutions (for payment of new career training expenses).

RRB–41

System name:

Rock Island Railroad Transition and Employee Assistance Act Benefit System—RRB.

System location:

U.S. Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system:

Any employee of the Chicago, Rock Island and Pacific Railroad Company who may be eligible for a lump-sum reimbursement or a retroactive unemployment subsistence allowance under the Rock Island Railroad Transition and Employee Assistance Act.

Categories of records in the system:

Identifying information such as name, address, social security number, date of birth, and employee identification number; information relating to employment with the Rock Island Railroad and the estate of the railroad including occupation, date last worked, work location, and reason not working; information as to creditable railroad service and creditable military service; information as to offers of permanent employment made by railroads acquiring portions of the Rock Island Railroad; information as to schools attended, courses taken and proof of payment of retraining expenses; information as to the payment of Railroad Unemployment Insurance Act benefits; and information as to the amount of lump-sum reimbursement and retroactive unemployment subsistence allowance and dates paid, erroneous payment investigations and benefit recovery information.

Authority for maintenance of the system:

Sections 106 and 114 of the Rock Island Railroad Transition and Employee Assistance Act (45 U.S.C. 1005 and 45 U.S.C. 1011).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Identifying information such as full name, social security number, employee identification number, occupation, location and date last worked and reason not working may be released to the Trustee of the Chicago, Rock Island, and Pacific Railroad Company, an acquiring carrier, or an educational institution to verify entitlement to benefits under the Rock Island Railroad Transition and Employee Assistance Act.

b. Information may be released to the General Accounting Office for auditing purposes and for collection of debts arising from overpayments under the Rock Island Railroad Transition and Employee Assistance Act.

c. If a request for information pertaining to an employee is made by an official of a labor organization of which the employee is a member and the request is made on behalf of the employee, information may be released to the extent needed to respond to the inquiry.

d. Disclosure may be made to a congressional office from the employee's record in response to an inquiry from the congressional office made at the request of the employee.

e. Information in this system of records pertaining to an employee may be released to the attorney representing such employee with respect to his claim, upon receipt of a written letter or declaration stating the fact of representation, subject to the same procedures and regulatory prohibition as the subject employee.

f. Records may be disclosed to contractors to fulfill contract requirements pertaining to specific activities relating to the Rock Island Railroad Transition and Employee Assistance Act.

g. The last addresses and employer information may be released to the Department of Health and Human Services in conjunction with the Parent Locator Service.

h. Beneficiary identifying information, address, check rate, date and number may be released to the Treasury Department to control for reclamation and return of outstanding benefit checks, to issue benefit checks, respond to reports of non-delivery and to insure delivery of checks to the correct address of the beneficiary or representative payee.

i. In the event that this system of records, maintained by the Railroad Retirement Board to carry out its function, indicates a violation, or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Rock Island Railroad Transition and Employee Assistance Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

j. Beneficiary identifying information, address, check rate, date and number, plus other necessary supporting evidence may be released to the U.S. Postal Service for investigation of alleged forgery or theft of benefit checks.

k. A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter, provided that disclosure is clearly in the furtherance of the interest of the subject individual.

l. Information may be released to the Department of Justice and to courts of competent jurisdiction in response to properly issued subpoenas.

m. Benefit rate, entitlement and periods paid may be disclosed to the Social Security Administration, Bureau of Supplemental Security Income, to federal, state and local welfare or public aid agencies to assist them in processing applications for benefits under their respective programs.

n. In the event the Board has determined to designate a person to be the representative payee of an incompetent beneficiary, disclosure of information concerning the benefit amount and other similar information may be made to the representative payee from the record of the individual.

o. Records may be disclosed in a court proceeding relating to any claims for benefits under the Rock Island Railroad Transition and Employee Assistance Act and may be disclosed during the course of an administrative appeal hearing in which such records are relevant to the issue.

p. Relevant informationmay be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper, magnetic tape, microforms.

Retrievability:

Social security number.

Safeguards:

Records are maintained in areas not accessible to the public and are not permitted to be removed from headquarters without authorization. Magnetic tape is maintained in computer and computer storage rooms which are restricted to authorized personnel.

Retention and disposal:

All records will be retained for five years following the ending date of the benefit program, after which they will be destroyed. Paper documents and microforms will be destroyed by shredding; magnetic tape records will be written over.

System manager(s) and address:

Director of Unemployment and Sickness Insurance, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure:

Request for information regarding an individual's record should be addressed to the System Manager identified above and should include the name and social security number of the individual involved. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

The information in this system of records is obtained from the railroad employee or his representative, employers, labor organizations, other Railroad Retirement Board files, and educational institutions (for payment of new career training expenses).

RRB-42

System name:

Uncollectible Benefit Overpayment Accounts.

System location:

U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system:

Individuals who were overpaid in the benefits they received from the Railroad Retirement Board and whose overpayment amounts have been determined uncollectible after normal recovery efforts have been made. Benefits overpaid are further delineated in the following five categories.

—Individuals receiving the following types of annuities, payable under the Railroad Retirement Act: Railroad retirement, disability supplemental, and survivor.

—Individuals receiving unemployment or sickness insurance benefits, payable under the Railroad Unemployment Insurance Act.

—Individuals receiving benefits under section 701 of the Regional Rail Reorganization Act of 1973.

—Individuals receiving benefits under section 106 of the Rock Island Railroad Transition and Employee Assistance Act.

—Individuals receiving benefits under sections 10 & 12 of the Milwaukee Railroad Restructuring Act.

Categories of records in the system:

Name, address, Social Security number, Railroad Retirement claim number, type of benefit previously paid, amount of overpayment determined to be uncollectible, amount of interest and penalties assessed and collected, name and address of debt collection agency to which uncollectible account is referred for collection, date of such referral, amount collected by the debt collection agency, and name and address of consumer reporting agencies to which debt information is disclosed and date of such referral.

Authority for maintenance of the system:

Section 7(b)(6) of the Railroad Retirement Act of 1974 (45 U.S.C. 231f(b)(6)); section 12(1) of the Railroad Unemployment Insurance Act (45 U.S.C. 362(1)); Pub. L. 97-92, Joint Resolution; sections 106 and 114 of the Rock Island Railroad Transition and Employee Assistance Act (45 U.S.C. 1005 and 45 U.S.C. 1011); sections 9, 10, 11, and 12 of the Milwaukee Railroad Restructuring Act (45 U.S.C. 908-11); Pub. L. 97-365 (Debt Collection Act of 1982); Federal Claims Collection Act (31 U.S.C. 3701 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Benefit overpayment amounts determined to be uncollectible, history of collectible, history of collection efforts and identification information (name, address—including IRS address information—Social Security number, Railroad Retirement claim number, type of benefit) may be disclosed to private collection agencies for the purpose of recovering benefit overpayments.

b. Records may be disclosed to the General Accounting Office for auditing purposes.

c. For information related to uncollectible overpayments of benefits paid under section 701 of the Regional Rail Reorganization Act of 1973, in the event that this system of records, maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto; for information related to uncollectible overpayments of benefits paid under any other Act administered by the Railroad Retirement Board, in the event that this system maintained by the Railroad Retirement Board to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate apgency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, provided that disclosure would be to an agency engaged in functions related to the Railroad Retirement Act, the Railroad Unemployment Insurance Act, the Rock Island Railroad Transition and Employee Assistance Act, or the Milwaukee Railroad Restructuring Act or provided that disclosure would be clearly in the furtherance of the interest of the subject individual.

d. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

e. If a request for information pertaining to an individual is made by an official of a labor organization of which the individual is a member and the request is made on behalf of the individual, information from the record of the individual concerning his overpayment may be disclosed to the labor organization official.

f. Relevant information may be furnished to the Office of the President for responding to an individual pursuant to an inquiry from that individual or a third party in his/her behalf.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)) but only of information relating to debts incurred under Title VII of the Regional Rail Reorganization Act of 1973.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper, magnetic tape, and magnetic disk.

Retrievability:

Social Security number, Railroad Retirement claim number, and name.

Safeguards:

All records are maintained in a secured building in areas not accessible to the public and are restricted to personnel whose official duties require access. Paper: Records are stored in locked file cabinets. Magnetic tape and magnetic disk: Computer and computer storage rooms are restricted to authorized personnel; on-line query safeguards include a lock/unlock password system, terminal oriented transaction matrix, and an audit trail.

Retention and disposal:

The RRB will maintain two types of overpayment records. One type will be maintained for a period of 6 years from the date the overpayment record is first entered into the EDP system. These records will be purged after the 6 year time frame. Tape records will be deleted after the 6 year time frame. Paper records will be destroyed by shredding.

System manager(s) and address:

Director of Fiscal and Planning Operations, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name, claim number, and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

Railroad Retirement Board beneficiaries' claim folders, the overpaid individuals, other Board systems of records, and debt collection agencies.

RRB-43

System name:

Investigation Files.

System location:

U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system:

Any of the following categories of individuals on whom a complaint is made alleging a violation of law, regulation, or rule pertinent to the administration of programs by the RRB, or, with respect to RRB employees, alleging misconduct or conflict of interest in the discharge of their official duties: Current and former employees of the Retirement Railroad Board; contractors; subcontractors; consultants, applicants for, and current and former recipients of, benefits under the programs administered by the Railroad Retirement Board; officials and agents of railroad employers; members of the public who are alleged to have stolen or unlawfully cashed RRB benefit or payroll checks or assisted in such activity; and others who furnish information, products, or services to the RRB.

Categories of records in the system:

Letters, memoranda, and other documents alleging a violation of law, regulation or rule, or alleging misconduct, or conflict of interest; reports of investigations to resolve allegations with related exhibits, statements, affidavits or records obtained during the investigation; recommendations on actions to be taken; transcripts of, and documentation concerning requests and approval for, consensual telephone monitoring; reports from law enforcement bodies; prior criminal or noncriminal records as they relate to the investigation; reports of actions taken by management personnel regarding misconduct; reports of legal actions resulting from violations referred to the Department of Justice for prosecution.

Authority for maintenance of the system:

Inspector General Act of 1978; Pub. L. 95-452, 5 U.S.C. App., as amended by the Railroad Solvency Act, Pub. L. 98-76; Railroad Unemployment Insurance Act, as amended, Sec. 9 (a), (b) and (c), and Sec. 12(a); Railroad Retirement Act of 1974, as amended, Sec. 7(b)(3) and (6) and Sec. 13(a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Records may be disclosed to the Department of Justice in connection with actual or potential criminal prosecution or civil litigation initiated by the RRB, or in connection with requests by RRB for legal advice.

b. Records may be disclosed to a Federal agency which has requested information relevant or necessary to its hiring or retention of an employee or the issuance of a security clearance, provided that the subject individual is not an individual on whom the RRB has obtained information in conjunction with its administration of the Railroad Retirement Act, the Railroad Unemployment Act, the Milwaukee Railroad Restructuring Act, or the Rock Island Railroad Transition and Employee Assistance Act.

c. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry for the congressional office made at the request of that individual would not be denied access to the requested information.

d. Disclosure may be made to an attorney representing the subject individual upon receipt of a written letter or declaration stating the fact of representation, provided that the subject individual would not be denied access to the requested information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper, word processing and/or personal computer diskette.

Retrievability:

Name, assigned case number cross-referenced to name of subject of investigation.

Safeguards:

General access is restricted to the director of Audit and Investigation and members of the director's investigatory staff; disclosure within the agency is on a limited need-to-know basis; records are maintained in locked file cabinets.

Retention and disposal:

Retention period and disposal instructions have not yet been officially established.

System manager(s) and address:

Assistant Inspector General, Office of Inspector General, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name, claim number, and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information. Many records in this system are exempt from the notification requirements under 5 U.S.C. 552a(k). To the extent that records in this system of records are not subject to exemption, they are subject to notification. A determination whether an exemption applies shall be made at the time a request for notification is received.

Record access procedure:

Requests for access to the record of an individual and requests to contest such a record should be in writing addressed to the System Manager identified above, including the full name, claim number, and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information. Many records in this system are exempt from the records access and contesting requirements under 5 U.S.C. 552a(k). To the extent that records in this system of records are not subject to exemption, they are subject to access and contest requirements. A determination as to whether an exemption applies shall be made at the time a request for access or contest is received.

Contesting record procedure:

See notification section above.

Record source categories:

The subject individual, the complainant, other third parties, including employers and local, state, and federal agencies, and other RRB record systems.

Systems exempted from certain provisions of the Act:

Pursuant to 5 U.S.C.552a(j)(2) records in this system of records which are compiled for the purposes of criminal investigations are exempted from the requirements under 5 U.S.C. 552a(c)(3) and (4) (Accounting of Certain Disclosures), (d) (Access to Records), (e)(1), (2), (3), (4), (G), (H), and (I), (5) and (8) (Agency Requirements), (f) (Agency Rules), and (g) (Civil Remedies) of 5 U.S.C. 552a.

Pursuant to 5 U.S.C. 552a(k)(2) records in this system of records which consist of investigatory material compiled for law enforcement purposes are exempted from the notice, access and contest requirements under 5 U.S.C. 552a(c)(3), (d) (e)(1), (e)(4)(G), (H), and (I) and (f); however, if any individual is denied any right, privilege, or benefit to which the individual would otherwise be eligible as a result of the maintenance of such material, such material shall be provided to such individual except to the extent that disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence.

The reasons why the head of the Railroad Retirement Board decided to exempt this system of records under 5 U.S.C. 552a(k) are given in a rule published elsewhere in this Federal Register.

RRB–44

System name:

Employee Test Score File.

System location:

U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system:

All Railroad Retirement Board employees who have taken one or more tests in voluntary competition for posted positions under the Board's Merit Promotion Plan.

Categories of records in the system:

Employee's name, social security account number, test score, type of test taken, date test taken.

Authority for maintenance of the system:

5 U.S.C. 335.103.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Records may be disclosed to the Office of Personnel Management in carrying out its functions.

b. Records may be disclosed to an agency in the executive, legislative, or judicial branch, or the District of Columbia Government, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the classifying of jobs, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

c. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

d. Disclosure may be made to the Office of the President from the record of an individual in response to an inquiry from the Office of the President made at the request of that individual.

e. In the event of litigation where one of the parties is (a) the Board, any component of the Board, or any employee of the Board in his or her official capacity; (b) the United States where the Board determines that the claim, if successful, is likely to directly affect the operations of the Board or any of its components; or (c) any Board employee in his or her individual capacity where the Justice Department has agreed to represent such employees, the Board may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper, word processing diskettes.

Retrievability:

Name.

Safeguards:

Records are stored in locked file cabinets in a secure building.

Retention and disposal:

Retention period and disposal instructions have not yet been officially established.

System manager(s) and address:

Director of Personnel, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

Employees who have taken the tests, bureau of personnel.

RRB–45

System name:

Employee Tuition Reimbursement File.

System location:

U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system:

All Railroad Retirement Board employees who have applied for tuition reimbursement for educational courses taken pursuant to an agreement between them and the agency.

Categories of records in the system:

Employee's name; copies of memoranda written by requesting reimbursement, and approval actions which include the title of the course(s) taken; the school at which it was taken; the final grade, the tuition cost and the employee's written evaluation on the training received.

Authority for maintenance of the system:

Section 4103 of Title 5, United States Code and Federal Personnel Manual 410 section 1-10a (11).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Records may be disclosed to the Office of Personnel Management in carrying out its functions.

b. Records may be disclosed to an agency in the executive, legislative, or judicial branch, or the District of Columbia Government, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

c. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

d. Disclosure may be made to the Office of the President from the record of an individual in response to an inquiry from the Office of the President made at the request of that individual.

e. In the event of litigation where one of the parties is (a) the Board, any component of the Board, or any employee of the Board in his or her official capacity; (b) the United States where the Board determines that the claim, if successful, is likely to directly affect the operations of the Board or any of its components; or (c) any Board employee in his or her individual capacity where the Justice Department has agreed to represent such employees, the Board may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

f. In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, or regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

File folders.

Retrievability:

Name of employee.

Safeguards:

Kept in file cabinets in secured building with access limited to authorized personnel.

Retention and disposal:

The folder and its contents are destroyed within 1 year after the employee leaves the agency.

System manager(s) and address:

Director of Personnel, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

Employees who request tuition reimbursement; school at which courses were taken.

RRB–46

System name:

Personnel Security Files—RRB.

System location:

U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system:

Current and former Railroad Retirement Board employees and individuals being considered for possible employment by the Board.

Categories of records in the system:

Records of actions taken by the Railroad Retirement Board in a personnel security investigation. If the action is favorable, the information will include identifying information and the action taken; if the action is unfavorable, the information will include the basis of the action which may be a summary of, or a selection, of information contained in an OPM investigation report. Information in an OPM investigation report may include: Date and place of birth, marital status, dates and places of residence, education, information on treatment for a mental condition, dates and places of employment, foreign countries visited, membership in organizations, birth date and place of birth of relatives, arrest records, prior employment reports, dates and levels of clearances, and names of agencies and dates when, and reasons why, they were provided clearance information on Board employees.

Note.—This system of records does not include the OPM investigation report itself, even though it is in possession of the Railroad Retirement Board. The report is covered under system of records OPM Central-9. Access to the report is governed by OPM.

Authority for maintenance of the system:

Executive Order 10450 and OMB Circular A-130 dated December 15, 1985.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Records may be disclosed to the Office of Personnel Management in carrying out its functions.

b. Records may be disclosed to an agency in the executive, legislative, or judicial branch, or the District of Columbia Government, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

c. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

d. Disclosure may be made to the Office of the President from the record of an individual in response to an inquiry from the Office of the President made at the request of that individual.

e. In the event of litigation where one of the parties is (a) the Board, any component of the Board, or any employee of the Board in his or her official capacity; (b) the United States where the Board determines that the claim, if successful, is likely to directly affect the operations of the Board or any of its components; or (c) any Board employee in his or her individual capacity where the Justice Department has agreed to represent such employees, the Board may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

f. In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper.

Retrievability:

Name.

Safeguards:

The records are kept in a lockable file cabinet, the combination of which is known only by the security officer and that officer's secretary.

Retention and disposal:

Permanent retention.

System manager(s) and address:

Personnel Security Officer, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number and claim number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

The individual to whom the information applies, the Railroad Retirement Board, the Office of Personnel Management, the FBI and other law enforcement agencies, and other third parties.

RRB–47

System name:

Motor Vehicle Operator Records.

System location:

U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system:

All Board employees who are required to operate motor vehicles regularly or incidentally in carrying out their official duties.

Categories of records in the system:

The RRB Motor Vehicle Operator Records System consists of a variety of records related to the issuance of a Government Motor Vehicle Operator's permit. In addition to the name of the employee, the system includes information about the employee's birthplace, SSN, employing organization, number of years driven, type of vehicles operated, current driver's license number, the state issuing driver's license, date license expires, restrictions of state license, sex, date of birth, color of hair, color of eyes, weight, height, record of traffic violations, and record of accidents. These records also include expiration dates of Motor Vehicle Operator permit, any limitations imposed on its use and the results of the annual review of each driving record.

Authority for maintenance of the system:

40 U.S.C. 471.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Information may be disclosed to the Office of Personnel Management in carrying out its functions.

b. Records may be disclosed to an agency in the executive, legislative, or judicial branch, or the District of Columbia Government, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the classifying of jobs, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

c. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

d. Disclosure may be made to the Office of the President from the record of an individual in response to an inquiry from the Office of the President made at the request of that individual.

e. In the event of litigation where one of the parties is (a) the Board, any component of the Board, or any employee of the Board in his or her official capacity; (b) the United States where the Board determines that the claim, if successful, is likely to directly affect the operations of the Board or any of its components; or (c) any Board employee in his or her individual capacity where the Justice Department has agreed to represent such employees, the Board may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to effectively represent such party, provided such disclosure is compatible with the purpose for which the records were collected.

f. In the event that this system of records indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, or regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper.

Retrievability:

Name.

Safeguards:

Access to and use of these records are limited to personnel whose official duties require such access and use. Records are maintained in a secure building.

Retention and disposal:

Records are retained for 3 years after the individual's government motor vehicle operator's permit expires, or the individual leaves the Board, and are then destroyed by shredding.

System manager(s) and address:

Director of Supply and Service, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611.

Notification procedure:

Requests for information regarding an individual's records should be in writing addressed to the System Manager identified above, including full name and social security number of the individual. Before any information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

Information contained in this system of records is obtained: (1) From information supplied by the individual, or (2) derived from information supplied by the individual, or (3) from information supplied by officials of the Board.

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System name:

Employee Identification Card Files (Building Passes).

System location:

U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Categories of individuals covered by the system:

All headquarters Railroad Retirement Board employees. Non-Railroad Retirement Board employees who require continuous access to the Board's headquarters building (e.g., employees of vendors and contractors).

Categories of records in the system:

Name, social security number, color code for type of pass.

Authority for maintenance of the system:

Federal Property Management Regulations, 41 CFR 101-20.301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal use only.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper.

Retrievability:

Name. Identification cards are used for admission to the headquarters building; the application forms verify prior issuance in the event of loss or theft of card.

Safeguards:

Records are maintained in areas not accessible to the public and are not permitted to be removed from headquarters without authorization.

Retention and disposal:

Application forms are retained until the person ceases to be employed by the Board at its headquarters office, or in the case of non-Railroad Retirement employees, until the building pass is withdrawn.

System manager(s) and address:

Director of Personnel, U.S. Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

Notification procedure:

Requests for information regarding an individual's record should be in writing addressed to the System Manager identified above, including the full name and social security number of the individual. Before information about any record will be released, the System Manager may require the individual to provide proof of identity or require the requester to furnish an authorization from the individual to permit release of information.

Record access procedures:

See Notification section above.

Contesting record procedures:

See Notification section above.

Record source categories:

Individuals to whom building passes are issued.

Appendix I.—Offices of the U.S. Railroad Retirement Board

A. Regional Offices

Region 1—101 Marietta Street, Suite 2304, Atlanta, Georgia 30303
Region 2—Federal Building, Room 3415, 26 Federal Plaza, New York, New York 10278
Region 3—Anthony J. Celebrezze Federal Building, Room 493, 1240 E. 9th Street, Cleveland, Ohio 44199
Region 4—Federal Building, Room 257, 601 East 12th Street, Kansas City, Missouri 64106
Region 5—Federal Building, Room 7419, 450 Golden Gate Avenue, Box 36043, San Francisco, California 94102

B. District Offices

Alabama
2121 Building, Room 1532, 2121—8th Avenue North, Birmingham, Alabama 35203
951 Government Street, Room 122, Mobile, Alabama 36604
Arizona—301 West Congress, Room 4-M, Box FB-40, Tuscon, Arizona 85701
Arkansas—Gannett Communications Center, Room 308, 201 West 3rd Street, Little Rock, Arkansas 72201
California
Bank of California Building, 2110 Merced Street, Box 752, Fresno, California 93712
U.S. Courthouse Building, Room 1507, 312 North Spring Street, Los Angeles, California 90012
George P. Miller Federal Building, 1515 Clay Street, Oakland, California 94612
Federal Building, Room E-1821, 2800 Cottage Way, Sacramento, California 95825
568 N. Mountain View, San Bernardino, California 92401
Federal Building, Room 1423, 450 Golden Gate Avenue, Box 36045, San Francisco, California 94102
Colorado—183 Custom House, 20th & Stout Streets, P.O. Box 8869, Denver, Colorado 80201
Connecticut—Federal Building, 150 Court Street, New Haven, Connecticut 06[illegible]10
District of Columbia—1925 L. Street, N.W., Washington, D.C. 20036
Florida
299 E. Broward Blvd., Room 304, Fort Lauderdale, Florida 33301
400 West Bay Street, Room 244, Box 35026, Jacksonville, Florida 32202
700 Twiggs Street, Room 707, Tampa, Florida 33602
Georgia
101 Marietta Street, Suite 2306, Atlanta, Georgia 30303
415 W. Broughton Street, Suite 101, Savannah, Georgia 31401
Idaho—Federal Building, U.S. Courthouse, Room 179, 250 South 4th Avenue, Pocatello, Idaho 83201
Illinois
Federal Building, Room 3162, 230 South Dearborn, Chicago, Illinois 60604
132 South Water Street, Suite 517, P.O. Box 1291, Decatur, Illinois 62525
Des Plaines Civic Center, 1420 Miner Street, Des Plaines, Illinois 60016
1310 21st Street, Granite City, Illinois 62040
101 North Joliet Street, Joliet, Illinois 60431
U.S.P.S. Building, 211 Nineteenth, Rock Island, Illinois 61201
Indiana
Federal Building and Courthouse, Room 333, 1300 S. Harrison Street, Fort Wayne, Indiana 46802
Federal Building, Room 105, 575 North Pennsylvania Street, Indianapolis, Indiana 46204
Iowa—Federal Building, Room 709, 210 Walnut Street, Des Moines, Iowa 50309
Kansas
Federal Building, Room 303, 444 S.E. Quincy, Topeka, Kansas 66683
The Litwin Building, Suite 100-A, 110 North Market Street, Wichita, Kansas 67202
Kentucky—Federal Building, Room 377A, 600 Federal Place, P.O. Box 3702, Louisville, Kentucky 40201
Louisiana
Hale Boggs Federal Building, Room 925, 500 Camp Street, New Orleans, Louisiana 70130
Federal Building, U.S. Courthouse, 500 Fannin Street, Room 3B04, Shreveport, Louisiana 71101
Maine—Federal Building, P.O. Box 3590, Room 2041, 151 Forest Avenue, Portland, Maine 04101
Maryland—George H. Fallon Federal Office Building; Room 1029, 31 Hopkins Plaza, Baltimore, Maryland 21201
Massachusetts
U.S. Post Office and Courthouse Building, Room 408, P.O. Box 2448, Boston, Massachusetts 02208
Federal Building and Courthouse, Room 411, 436 Dwight Street, Springfield, Massachusetts 01103
Michigan
2805 North Lincoln Road, P.O. Box 692, Escanaba, Michigan 49829
P. V. McNamara Federal Building, 477 West Michigan Avenue, Suite 1990, Detroit, Michigan 48226
Riverview Center Building, Room 420, 678 Front Street, N.W., Grand Rapids, Michigan 49504
Minnesota
Federal Building, Room 135, 515 West First Street, Duluth, Minnesota 55802
910 Bremer Towers, 82 East 7th Street, St. Paul, Minnesota 55101
Mississippi—Federal Building, Room 1007, 100 W. Capital Street, Jackson, Mississippi 39201
Missouri
Federal Building, Room 258, 601 East 12th Street, Kansas City, Missouri 64106
Federal Building, Room 204, 201 East 4th Street, Sedalia, Missouri 65301
1430 Olive Street, Room 203, St. Louis, Missouri 63103
Bank of Springfield Office Center, Room 612, 300 South Jefferson, Springfield, Missouri 65806
Montana—Federal Building, Room 1445, 316 North 26th Street, P.O. Box 1351, Billings, Montana 59103
Nebraska
U.S.P.O. Courthouse, 300 East Third Street, P.O. Box 1103, North Platte, Nebraska 69101
Federal Office Building, Room 1011, 106 South 15th, Omaha, Nebraska 68102
New Jersey—New Federal Building, Room 707, 970 Broad Street, Newark, New Jersey 07102

New Mexico
Rosenwald Building, Suite 13, 320 Central, S.W., Albuquerque, New Mexico 87102
Federal Building, Hill Avenue, and Third Street, Room 130, P.O. Box 910, Gallup, New Mexico 87301
New York
Leo W. O'Brien Federal Building, Room 264, Clinton Avenue and North Pearl Streets, Albany, New York 12207
Federal Building, Room 1106, 111 West Huron Street, Buffalo, New York 14202
Mark Twain Building, 168 North Main Street, Elmira, New York 14901
183 South Broadway, Third Floor, Room 310, Hicksville, New York 11801
Federal Building, Room 3404, 26 Federal Plaza, New York, New York 10278
U.S. Courthouse and Federal Building, 100 South Clinton Street, Room 525, Syracuse, New York 13260
North Carolina
Mart Office Building, Room BB-503, 800 Briar Creek Road (at Independence), Charlotte, North Carolina 28205
Federal Building, Room 238, 310 New Bern Avenue, Raleigh, North Carolina 27611
North Dakota—U.S.P.O. Building, Room 219, 657 Second Avenue, North, P.O. Box 383, Fargo, North Dakota 58107
Ohio
Federal Building, Room 1030, 550 Main Street, Cincinnati, Ohio 45202
Anthony J. Celebrezze Federal Building, Room 401, 1240 East 9th Street, Cleveland, Ohio 44199
Federal Building, U.S. Courthouse, Room 216, 85 Marconi Boulevard, Columbus, Ohio 43215
Federal Building, Room 321, 234 Summit Street, Toledo, Ohio 43604
Dollar Bank Building, Room 601, Central Square, Youngstown, Ohio 44503
Oklahoma
146 Post Office Building, North Robinson and Dean A. McGee Avenue, Oklahoma City, Oklahoma 73102
333 West Fourth Street, Room 3339, Tulsa, Oklahoma 74103
Oregon—Suite 650, 111 S.W. Columbia, Portland, Oregon 97201
Pennsylvania
615 Howard Avenue, Room 10, P.O. Box 990, Altoona, Pennsylvania 16603
Federal Building, Room 504, 228 Walnut Street, Box B, Harrisburg, Pennsylvania 17108
William J. Green, Jr. Federal Building, Room 7224, 600 Arch Street, Philadephia, Pennsylvania 19106
Park Building, Room 1327, 355 Fifth Avenue, Pittsburgh, Pennsylvania 15222
U.S.P.O. and Courthouse, Washington Avenue and Linden Street, Room 301, Scranton, Pennsylvania 18503
Tennessee
1111 Northshore Drive, Building 1, Room 237, Drawer 139, Knoxville, Tennessee 37919
Clifford Davis Federal Building, Room 9, 167 North Main Street, Memphis, Tennessee 38103
108 Federal Building, U.S. Courthouse, 801 Broadway, Nashville, Tennessee 37203
Texas
Federal Building and U.S. Courthouse, Room 118, 205 East 5th Street, Amarillo, Texas 79101
1100 Commerce Street, Room 3 D 14, Dallas, Texas 75242
First National Building, 109 North Oregon, Room 815, P.O. Box 5311, El Paso, Texas 79954
819 Taylor Street, Room 10 A 36, Fort Worth, Texas 76102
Federal Office Building, Room 2615, 515 Rusk Street, P.O. Box 61166, Houston, Texas 77208
Federal Building, Room A 417, 727 East Durango, San Antonio, Texas 78206
Utah—IRS Building, Suite 102, 469 South 400 East, Salt Lake City, Utah 84111
Virginia
Federal Building, Room 801, 200 Granby Mall, Norfolk, Virginia 23510
Federal Office Building, Room 1207, 400 North Eighth Street, P.O. Box 10006, Richmond, Virginia 23240
Richard Poff Federal Building, Room 739, 210 Franklin Road, S.W., P.O. Box 270, Roanoke, Virginia 24011
Washington
Federal Building, Room 3210, 915 Second Avenue, Seattle, Washington 98174
U.S. Courthouse, Room 492, West 920 Riverside Avenue, Spokane, Washington 99201
West Virginia—1415 6th Avenue, P.O. Box 2153, Huntington, West Virginia 25721
Wisconsin
Federal Building, Room 19, 500 South Barstow Street, Eau Claire, Wisconsin 54701
Lewis Center Building, Room 410, 615 East Michigan Street, Milwaukee, Wisconsin 53202

Appendix II.—Medicare Part B Field Offices

Southeastern—P.O. Box 10066, Augusta, Georgia 30999
Northeastern—P.O. Box 395, Albany, New York 12201
North Central—220 East 170th Street, Lansing, Illinois 60438
South Central—P.O. Box 225493, Dallas, Texas 75265
Western—P.O. Box 30050, Salt Lake City, Utah 84130

Title 20-Employees' Benefits

Chapter II-Railroad Retirement Board

PART 200—PROCEDURES AND FORMS

Sec.
200.5 Protection of privacy of records maintained on individuals.

§ 200.5 Protection of privacy of records maintained on individuals.

(a) *Purpose and scope.* The purpose of this section is to establish specific procedures necessary for compliance with the Privacy Act of 1974 (Pub. L. 93-579). These regulations apply to all record systems containing information of a personal or private nature maintained by the Railroad Retirement Board that are indexed and retrieved by personal identifier.

(b) *Definitions*—(1) *Individual.* The term "individual" pertains to a natural person who is a citizen of the United States or an alien lawfully admitted for permanent residence and not to a company or corporation.

(2) *System of records.* For the purposes of this section, the term "system of records" pertains to only those records that can be retrieved by an individual identifier.

(3) *Railroad Retirement Board.* For purposes of this section, the term "Railroad Retirement Board" refers to the United States Railroad Retirement Board, an independent agency in the executive branch of the United States Government.

(4) *Board.* For purposes of this section the term "Board" refers to the three member governing body of the United States Railroad Retirement Board.

(c) *Procedure for requesting the existence of personally identifiable records in a record system.* An individual can determine if a particular record system maintained by the Railroad Retirement Board contains any record pertaining to him by submitting a written request for such information to the system manager of that record system as described in the annual notice published in the **Federal Register.** A current copy of the system notices, published in accordance with paragraph (i) of this section, is available for inspection at all regional and district offices of the Board. If necessary, Board personnel will aid requesters in determining what system(s) of records they wish to review and will forward any requests for information to the appropriate system manager. Also, requests for personal information may be submitted either by mail or in person to the system manager at the headquarters of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611. Prior to responding to a request for information under this subsection, the system manager shall require the individual requesting such information to provide identifying data, such as his full name, date of birth, and social security number. The system manager shall respond to a request under this subsection within a reasonable time by stating that a record on the individual either is or is not contained in the system.

(d) *Disclosure of requested information to individuals.* (1) Upon request, an individual shall be granted access to records pertaining to himself, other than medical records and records compiled in anticipation of a civil or criminal action or proceeding against him, which are indexed by individual identifier in a particular system of records. Requests for access must be in writing and should be addressed to the system manager of that record system as described in the annual notice published in the **Federal Register.** Requests under this subsection may be submitted either by mail or in person at the headquarters offices of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

(2) The system manager shall, within ten working days following the date on which the request is received in his office, render a decision either granting or denying access and shall promptly notify the individual of his decision. If the request is denied, the notification shall inform the individual of his right to appeal the denial to the Board. An individual whose request for access under this subsection has been denied by the system manager may appeal that determination to the Board by filing a written appeal with the Secretary of the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611 within twenty working days following receipt of the notice of denial. The Board shall render a decision on an appeal within thirty working days following the date on which the appeal is received in the office of the Secretary of the Board. The individual shall promptly be notified of the Board's decision.

(3) In cases where an individual has been granted access to his records, the system manager shall, prior to releasing such records, require the individual to produce identifying data such as his name, date of birth, and social security number.

(4) Disclosure to an individual of his record may be made by providing him, upon written request therefor, a copy of the record or portion thereof which he reasonably describes in his request.

(5) An individual, and if such individual so desires, one other person of his choosing, may review and have a copy made of his record (in a form comprehensible to him) during regular business hours at the location described as the repository of the record system containing such records in the annual notice published in the **Federal Register** or at such other location convenient to the individual as specified by the system manager. If an individual is accompanied by another person, the system manager may require written authorizations for disclosure in the presence of the other person from the individual before any record or portion thereof is released.

(e) *Special procedures—medical records.* (1) An individual concerning whom the Railroad Retirement Board maintains medical records in a system of records shall, upon written request, be permitted to review such medical records or be furnished copies of such records if the system manager of the system containing the requested records determines that disclosure of the records or any portion thereof would not be harmful to the individual's mental or physical health. (2) If, upon review of the medical records requested, the system manager determines that disclosure of such records or any portion thereof might be harmful to the individual's mental or physical health, he shall inform the individual that copies of the records may be furnished to a physician of the individual's own choosing. If the individual should select a physician to conduct such a review and direct the Board to permit the physician to review the records, The system manger shall promptly forward copies of the records in question to that physician. The system manger shall inform the physician that the records are being provided to him or her for the purpose of making an independent determination as to whether release or the records directly to the individual who has requested them might be harmful to that individual. The physician shall be informed that if, in his or her opinion, direct disclosure of the records worud not be harmful the the individual's mental or physical health, he or she may then provide the copies to the individual. The physician shall further be informed that should he or she determine that disclosure of the records in question might be harmful to the individual, such records shall not be disclosed and should be returned to the Board, but the physician may summarize and discuss the contents of the records with the individual. (3) The special procedure established by paragraph (e) of this section to permit an individual access to medical records pertaining to himself or herself shall not be construed as authorizing the individual to direct the Board to disclose such medical records to any third parties, other than to a physician in accordance with paragraph (e)(2) of this section. Medical records shall not be disclosed by the Board to any entities or persons other than the individual to whom the record pertains or his or her authorized physician regardless of consent, except as permissible under paragraphs(j)(1), (iii), and (viii) of this section and as provided under paragraph (e)(4) of this section. (4) Notwithstanding the provisions of paragraphs (e) (1), (2) and (3) of this section and of paragraph (d) of this section, if a determination made with respect to an individual's claim for benefits under the Railroad Retirement Act of the Railroad Unemployment Insurance Act is based in whole or in part on mediacl records, disclosure of or access to such medical records shall be granted to such individual or to such individual's representative when such records are requested for the purpose of contesting such determination either administratively of judicially. (5) The procedures for access to medical records set forth in paragraph (e) of this section shall not apply with respect to requests for access to an individual's disability decision sheet or similar adjudicatory documents, access to which is governed solely by paragraph (d) of this section.

(f) *General exemptions*—(1) *Systems of records subject to investigatory material exemption under 5 U.S.C. 552a(j)(2).* RRB–43, Investigation Files, a system containing information concerning alleged violations of law, regulation, or rule pertinent to the administration of programs by the RRB or alleging misconduct or conflict of interest on the part of RRB employees in the discharge of their official duties.

(2) *Scope of exemption.*(i) The system of records identified in this paragraph is maintained by the Office of Investigations (OI) of the Office of Inspector General (OIG), a component of the Board which performs as its principal function activities pertaining to the enforcement of criminal laws. Authority for the criminal law enforcement activities of the OIG's OI is the Inspector General Act of 1978, 5 U.S.C. app.

(ii) Applicable information in the system of records described in this paragraph is exempt from subsections (c)(3) and (4) (Accounting of Certain Disclosures), (d) (Access to Records), (e)(1), (2), (3), (4)(G), (H), and (I), (5), and (8), (Agency Requirements), (f) (Agency Rules) and (g) (Civil Remedies) of 5 U.S.C. 552a.

(iii) To the extent that information in this system of records does not fall within the scope of this general exemption under 5 U.S.C. 552(j)(2) for any reason, the specific exemption under 5 U.S.C. 552(k)(2) is claimed for such information. (See paragraph (g) of this section.)

(3) *Reasons for exemptions.* The system of records described in this section is exempt for one or more of the following reasons:

(i) 5 U.S.C. 552a(c)(3) requires an agency to make available to the individual named in the records, at his or her request, an accounting of each disclosure of records. This accounting must state the date, nature, and purpose of each disclosure of a record and the name and address of the recipient. Accounting of each disclosure would alert the subjects of an investigation to the existence of the investigation and the fact that they are subjects of an investigation. The release of such information to the subjects of an investigation would provide them with significant information concerning the nature of the investigation, and could seriously impede or compromise the investigation and lead to the improper influencing of witnesses, the destruction of evidence, or the fabrication of testimony.

(ii) 5 U.S.C. 552a(c)(4) requires an agency to inform any person or other agency about any correction or notation of dispute made by the agency in accordance with subsection (d) of the Act. Since the RRB is claiming that this system of records is exempt from subsection (d) of the Act, concerning access to records, this section is inapplicable and is exempted to the extent that this system of records is exempted from subsection (d) of the Act.

(iii) 5 U.S.C. 552a(d) requires an agency to permit an individual to gain access to records pertaining to him or her, to request amendment of such records, to request a review of an agency decision not to amend such records, and to contest the information contained in such records. Granting access to records in this system of records could inform the subject of the investigation of an actual or potential criminal violation of the existence of that investigation, of the nature and scope of the information and evidence obtained as to his or her activities, of the identity of confidential sources, witnesses, and law enforcement personnel, and could provide information to enable the subject to avoid detection or apprehension. Granting access to such information could seriously impede or compromise an investigation, lead to the improper influencing of witnesses, the destruction of evidence, or the fabrication of testimony, and disclose investigative techniques and procedures.

(iv) 5 U.S.C. 552a(e)(1) requires each agency to maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose required by statute or executive order of the President. The application of this provision could impair investigations and law enforcement, because it is not always possible to detect the relevance or necessity of specific information in the early stages of an investigation. Relevance and necessity are often questions of judgment and timing, and it is only after the information is evaluated that the relevance and necessity of such information can be established.

(v) 5 U.S.C. 552a(e)(2) requires an agency to collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privileges under Federal programs. The application of this provision could impair investigations and law enforcement by alerting the subject of an investigation of the existence of the investigation, enabling the subject to avoid detection or apprehension, to influence witnesses improperly, to destroy evidence, or to fabricate testimony. Moreover, in certain circumstances the subject of an investigation cannot be required to provide information to investigators, and information must be collected from other sources. Furthermore, it is often necessary to collect information from sources other than the subject of the investigation to verify the accuracy of the evidence collected.

(vi) 5 U.S.C. 552a(e)(3) requires an agency to inform each person whom it asks to supply information, on a form that can be retained by the person, of the authority under which the information is sought and whether disclosure is mandatory or voluntary; of the principal purposes for which the information is intended to be used; of the routine uses which may be made of the information; and of the effects on the person, if any, of not providing all or any part of the requested information. The application of this provision could provide the subject of an investigation with substantial information about the nature of that investigation.

(vii) 5 U.S.C. 552a(e)(4) (G) and (H) require an agency to publish a **Federal Register** notice concerning its procedures for notifying an individual at his request if the system of records contains a record pertaining to him or her, how he or she can gain access to such a record, and how he or she can contest its contents. Since the RRB is claiming that the system of records is exempt from subsection (f) of the Act, concerning agency rules, and subsection (d) of the Act, concerning access to records, these requirements are inapplicable and are exempted to the extent that these systems of records are exempted from subsections (f) and (d) of the Act. Although the RRB is claiming exemption from these requirements, RRB has published such a notice concerning its notification, access, and contest procedures because, under certain circumstances, RRB might decide it is appropriate for an individual to have access to all or a portion of his or her records in this system of records.

(viii) 5 U.S.C. 552a(e)(4)(I) requires an agency to publish in the **Federal Register** notice concerning the categories of sources or records in the system of records. Exemption from this provision is necessary to protect the confidentiality of the sources of information, to protect the privacy of confidential sources and witnesses, and to avoid the disclosure of investigative techniques and procedures. Although RRB is claiming exemption from this requirement, RRB has published such a notice in broad generic terms in the belief that this is all subsection (e)(4)(I) of the Act requires.

(ix) 5 U.S.C. 552a(e)(5) requires an agency to maintain its records with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in making any determination about the individual. Since the Act defines "maintain" to include the collection of information, complying with this provision would prevent the collection of any data not shown to be accurate, relevant, timely, and complete at the moment it is collected. In collecting information for criminal law enforcement purposes, it is not possible to determine in advance what information is accurate, relevant, timely, and complete. Facts are first gathered and then placed into a logical order to prove or disprove objectively the criminal behavior of an individual. Material which may seem unrelated, irrelevant, or incomplete when collected may take on added meaning or significance as the investigation progresses. The restrictions of this provision could interfere with the preparation of a complete investigative report, thereby impending effective law enforcement.

(x) 5 U.S.C. 552a(e)(8) requires an agency to make reasonable efforts to serve notice on an individual when any record on such individual is made available to any person under compulsory legal process when such process becomes a matter of public record. Complying with this provision could prematurely reveal an ongoing criminal investigation to the subject of the investigation.

(xi) 5 U.S.C. 552a(f)(1) requires an agency to promulgate rules which shall establish procedures whereby an individual can be notified in response to his or her request if any system of records named by the individual contains a record pertaining to him or her. The application of this provision could impede or compromise an investigation or prosecution if the subject of an investigation was able to use such rules to learn of the existence of an investigation before it could be completed. In addition, mere notice of the fact of an investigation could inform the subject or others that their activities are under or may become the subject of an investigation and could enable the subjects to avoid detection or apprehension, to influence witnesses improperly, to destroy evidence, or to fabricate testimony. Since the RRB is claiming that these systems of records are exempt from subsection (d) of the Act, concerning access to records, the requirements of subsections (f)(2) through (5) of the Act, concerning agency rules for obtaining access to such records, are inapplicable and are exempted to the extent that this system of records is exempted from subsection (d) of the Act. Although RRB is claiming exemption from the requirements of subsection (f) of the Act, RRB has promulgated rules which establish Agency procedures because, under certain circumstances, it might be appropriate for an individual to have access to all or a portion of his or her records in this system of records. These procedures are described elsewhere in this part.

(xii) 5 U.S.C. 552a(g) provides for civil remedies if an agency fails to comply with the requirements concerning access to records under subsections (d)(1) and (3) of the Act; maintenance of records under subsection (e)(5) of the Act; and any rule promulgated thereunder, in such a way as to have an adverse effect on an individual. Since the RRB is claiming that this system of records is exempt from subsections (c)(3) and (4), (d), (e)(1), (2), (3), (4)(G), (H), and (I), (5), and (8), and (f) of the Act, the provisions of subsection (g) of the Act are inapplicable and are exempted to the extent that this system or records is exempted from those subsections of the Act.

(g)*Specific exemptions*—(1) *Systems of records subject to investigatory material exemption under 5 U.S.C. 552a(k)(2).* RRB–43, Investigation Files, a system containing information concerning alleged violations of law, regulation, or rule pertinent to the administration of programs by the RRB or alleging misconduct or conflict of interest on the part of RRB employees in the discharge of their official duties.

(2) *Privacy Act provisions from which exempt.* The system of records described in this paragraph is exempt from subsections (c)(3) (Accounting of Certain Disclosures), (d) (Access to Records), (e)(1), 4G, H, and I (Agency Requirements), and (f) (Agency Rules) of 5 U.S.C. 552a.

(3) *Reasons for exemptions.* The system of records described in this section is exempt for one or more of the following reasons:

(i) To prevent the subject of the investigations from frustrating the investigatory process.

(ii) To protect investigatory material compiled for law enforcement purposes.

(iii) To fulfill commitments made to protect the confidentiality of sources and to maintain access to necessary sources of information.

(iv) To prevent interference with law enforcement proceedings.

(h) *Request for amendment of a record.* (1) An individual may request that a record pertaining to himself be amended by submitting a written request for such amendment to the system manager as described in the annual notice published in the **Federal Register.** Requests under this subsection may be made either by mail or in person at the headquarters offices of the Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611. Such a request should include a statement of the information in the record which the individual believes is incorrect, a statement of any information not in the record which the individual believes would correct the record, if included, and a statement of any evidence which substantiates the individual's belief concerning the inaccuracy of the information presently contained in the record.

(2) Prior to rendering a determination in response to a request under this subsection, the system manager shall require that the individual provide

identifying data such as his name, date of birth, and social security number.

(3) The system manager responsible for the system of records which contains the challenged record shall acknowledge receipt of the request in writing within ten working days following the date on which the request for amendment was received in his office and shall promptly render a decision either granting or denying the request.

(i) If the system manager grants the individual's request to amend his record, the system manager shall amend the record accordingly, advise the individual in writing that the requested amendment has been made and where an accounting of disclosures has been made, advise all previous recipients of the record to whom disclosure of such record was made and accounted for of the fact that the amendment was made and the substance of the amendment.

(ii) If the system manager denies the individual's request to amend his record, the system manager shall inform the individual that the request has been denied in whole or in part, the reason for the denial and the procedure regarding the individual's right to appeal the denial to the Board.

(i) *Appeal of initial adverse determination on amendment.* (1) An individual, whose request for amendment of a record pertaining to him is denied, may appeal that determination to the Board by filing a written appeal with the Secretary of the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611. The written notice of appeal should include a statement of the information in the record which the individual believes is correct, a statement of any information not in the record which the individual believes would correct the record, if included, and a statement of any evidence which substantiates the individual's belief concerning the inaccuracy of the information presently contained in the record.

(2) The Board shall consider the appeal and render a final decision thereon within thirty working days following the date on which the appeal is received in the office of the Secretary of the Board. An extension of the thirty day response period is permitted for a good cause upon notification of such to the requester.

(3) If, upon consideration of the appeal, the Board upholds the denial, the appellant shall be so informed in writing. The appellant shall be advised that he may file a concise statement with the Board setting forth his reasons for disagreeing with the Board's decision and the procedures to be followed in filing such a statement of disagreement. The individual shall also be informed of his right to judicial review as provided under section 552a(g)(1)(A) of Title 5 of the United States Code. If disclosure has or will be made of a record containing information about which an individual has filed a statement of disagreement, that contested information will be annotated and a copy of the statement of disagreement will be provided to past and future recipients of the information along with which the Board may include a statement of its reasons for not amending the record in question.

(4) If, upon consideration of the appeal, the Board reverses the denial, the Board shall amend the record, advise the appellant in writing that such amendment has been made, and where an accounting of disclosures has been made, advise all previous recipients of the record to whom disclosure of such was made and accounted for, of the fact that the amendment was made and the substance of the amendment.

(j) *Disclosure of record to person other than the individual to whom it pertains.* (1) Records collected and maintained by the Railroad Retirement Board in the administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act which contain information of a personal or private nature shall not be disclosed to any person or to another agency without the express written consent of the individual to whom the record pertains. Such written consent shall not be required if the disclosure is not otherwise prohibited by law or regulation and is:

(i) To officers or employees of the Railroad Retirement Board who, in the performance of their official duties, have a need for the record;

(ii) Required under section 552 of title 5 of the United States Code;

(iii) For a routine use of such record as published in the annual notice in the **Federal Register;**

(iv) To the Bureau of the Census for uses pursuant to the provisions of title 13 of the United States Code;

(v) To a recipient who has provided the Board with advance written assurance that the record will be used solely as a statistical or research record, and the record is to be transferred in a form that is not individually identifiable;

(vi) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government or for evaluation by the administrator of General Services or his designee to determine whether the record has such value;

(vii) To another agency or to an instrumentality of any governmental jurisidiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought;

(viii) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if, upon such disclosure, notification is transmitted to the last known address of such individual;

(ix) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(x) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(xi) Pursuant to the order of a court of competent jurisdiction.

(2) The Railroad Retirement Board shall maintain an accounting of all disclosures of records made under paragraph (j)(1) of this section, except those made under paragraphs (j)(1) (i) and (ii) of this section. This accounting will include:

(i) Date of disclosure;

(ii) Specific subject matter of disclosure;

(iii) Purpose of disclosure; and

(iv) Name and address of the person or agency to whom the information has been released.

The Railroad Retirement Board shall maintain the accounting for five years or the life of the system of records, whichever is longer, and make such accounting, with the exception of disclosures made under paragraph (j)(1)(vii) of this section, available to the individual to whom the record pertains upon his request. If, subsequent to disclosure of a record for which disclosure an accounting has been made pursuant to this subsection, an amendment is made to that record or an individual has filed a statement of disagreement concerning that record, the person or agency to whom such disclosure was made shall be notified of the amendment or statement of disagreement.

(k) *Annual notice of systems of records.* The Railroad Retirement Board shall publish in the **Federal Register** on an annual basis a listing of the various systems of records which it maintains by individual identifier. That notice shall provide the following for each system:

(1) The name and location of the system;

(2) The categories of individuals on whom records are maintained in the system;

(3) The routine uses of the system;

(4) The methods of storage, disposal, retention, access controls and retrievability of the system;

(5) The title and business address of the individual who is responsible for the system;

(6) The procedure whereby an individual can be notified at his request whether or not the system contains a record pertaining to him;

(7) The procedure whereby the individual can be notified at his request how he can gain access to any record pertaining to him which is contained in the system;

(8) How the individual can contest the contents of such a record; and

(9) The categories of sources of records in the system.

(l) *Collection of information and maintenance of records.* With respect to each system of records indexed by individual identifer which is maintained by the Railroad Retirement Board, the Railroad Retirement Board shall:

(1) Maintain in each system only such information about an individual as is relevant and necessary in accomplishing the purposes for which the system is kept;

(2) To the greatest extent practicable, collect information directly from the individual when that information may result in an adverse determination about such individual's rights, benefits or privileges under programs administered by the Railroad Retirement Board;

(3) Inform each individual who is asked to supply information:

(i) The authority under which the solicitation of such information is carried out;

(ii) Whether disclosure of the requested information is mandatory or voluntary and any penalties for failure to furnish such information;

(iii) The principal purposes for which the information will be used;

(iv) The routine uses and transfers of such information; and

(v) The possible effects on such individual if he fails to provide the requested information;

(4) Maintain all records which are used by the Railroad Retirement Board in making any determination about any individual with such accuracy, relevance, timeliness and completeness as is reasonably necessary to assure fairness to the individual in the determination;

(5) Prior to disseminating any record about an individual to any person other than an agency, unless the dissemination is made pursuant to paragraph (j)(1)(ii) of this section, make reasonable efforts to assure that such records are accurate, complete, timely and relevant for purposes of the administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act;

(6) Maintain no record describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual to whom the record pertains or unless pertinent to and within the scope of an authorized law enforcement activity;

(7) Make reasonable efforts to serve notice on an individual when any record on such individual is made available to any person under compulsory legal process when such process becomes a matter of public record; and

(8) At least thirty days prior to publication of information under paragraph (i) of this section, publish in the **Federal Register** notice of any new use or intended use of the information in the system and provide an opportunity for interested persons to submit written data, views or arguments to the Railroad Retirement Board.

(m) *Fees.* The Railroad Retirement Board may assess a fee for copies of any records furnished to an individual under paragraph (d) of this section. The fees for copies shall be $0.10 per copy per page, not to exceed the actual cost of reproduction, and should be paid to the Director of Budget and Fiscal Operations for deposit to the Railroad Retirement Account. If payment is made by check, the check should be payable to the order of the Railroad Retirement Board. Any fee of less than $10 may be waived by the system manager if he determines that it is in the public interest to do so.

(n) *Government contractors.* When the Railroad Retirement Board provides by a contract or by a subcontract subject to its approval for the operation by or on behalf of the Railroad Retirement Board of a system of records to accomplish an agency function, the Railroad Retirement Board shall, consistent with its authority, cause the requirements of section 552a of Title 5 of the United States Code to be applied to such system. In each such contract or subcontract for the operation of a system of records, entered into on or after September 27, 1975, the Railroad Retirement Board shall cause to be included a provision stating that the contractors or subcontractors and their employees shall be considered employees of the Railroad Retirement Board for purposes of the civil and criminal penalties provided in sections (g) and (i) of the Privacy Act of 1974 (5 U.S.C. 552a (g) and (i)).

(o) *Mailing lists.* The Railroad Retirement Board shall neither sell nor rent information containing any individual's name or address, unless authorized by statute.

(p) *Disclosure of social security account numbers.* Whenever an individual is requested by the Railroad Retirement Board to disclose his social security account number he shall be informed as to whether such disclosure is mandatory or voluntary. If disclosure of the individual's social security account number is mandatory, he shall be informed of the statutory authority requiring such disclosure.

(5 U.S.C. 552a)

[41 FR 20580, May 19, 1976, as amended at 43 FR 17468, Apr. 25, 1978; 50 FR 27222, Jul. 2, 1985. Redesignated at 52 FR 11010, Apr. 6, 1987 and further amended at 53 FR 3196, Feb. 4, 1988; 54 FR 43055, Oct. 20, 1989]

SECURITIES AND EXCHANGE COMMISSION

SEC—1

System name: Registration Statements Filed Pursuant to Provisions of the Securities Act of 1933, Securities Exchange Act of 1934, Public Utility Holding Company Act of 1935, and Investment Company Act of 1940—SEC

System location: Securities and Exchange Commission, Washington, D.C. 20549. Duplicate copies may be maintained in SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records include information on officers, directors, principal shareholders, and certain other persons having a relationship with or a transaction with a registrant.

Categories of records in the system: The records describe the individual's relationship to a registrant and other relevant material business information about the individual.

Authority for maintenance of the system: Title 15, United States Code, Sections 79e, 77f, 77g, 77h and 77j; 781, 78m, 78n, 78o(d), and 78p; and 80a-8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC staff in the processing of registration statements and periodic reports filed with the Commission under provisions of the Federal securities laws; may also be used to respond to inquiries from Members of Congress and the public concerning registrants and in preparing no-action letters.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State, or local licensing authority for possible disciplinary action.

5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local government authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

6. A record from this system of records may be disclosed to a Federal, State or local governmental authority in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

7. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies: may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

8. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

9. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form or microform.

Retrievability: Records are accessed by name and/or file number assigned to registration statement. Individual name access is available through the Commission's Name-Relationship Index system.

Safeguards: Records contain public information and are available through Public Reference Section. Records are maintained in central records office, which is locked at night. Building where records are maintained has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street NW., Washington, D.C. 20549.

Notification procedure. All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information is obtained from registration statements that are filed with the Commission under the Securities Act of 1933, Securities Exchange Act of 1934, the Public Utility Holding Company Act of 1935, and the Investment Company Act of 1940.

SEC-2

System name: Applications for Registration/Exemption under the Securities Exchange Act of 1934, Investment Advisers Act of 1940, and Investment Company Act of 1940.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also may be maintained in the SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records are maintained on broker-dealers and investment advisers and officers, directors, certain shareholders, general and limited partners, and other associated persons of broker-dealers, investment advisers and investment companies.

Categories of records in the system: Records contain information pertaining to the individual's relationship to and transactions with the registrant, past securities violations, and business and financial data. Also may contain some personal data such as name, date of birth, and social security number of individuals.

Authority for maintenance of the system: Title 15, United States Code, Sections 78o(b), 80a-6, 80b-3, and 80b-61.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel in processing applications for registration and applications for exemption from the registration requirements under the Securities Exchange Act of 1934, Investment Advisers Act of 1940 and Investment Company Act of 1940 and by SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State, or local licensing association for possible disciplinary action.

4. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

5. A record from this system of records may be disclosed to a Federal, State or local governmental authority in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

6. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

7. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

8. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

9. To respond to requests from Members of Congress and the public for information concerning whether an individual is registered with the Commission or is exempt from registration.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in hard copy form and stored on shelving.

Retrievability: Records are accessed by name and/or file number assigned to applicant. Individual name access is available through the Commission's Name-Relationship Index.

Safeguards: Records contain public information and are available through Public Reference Section. They are maintained in central records office, which is locked at night, and the building where the records are maintained has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Applications and Notifications for registration or exemption, which are filed under the applicable Federal securities act.

SEC-3

System name: Notification of Exemption from Registration under the Securities Act of 1933—SEC.

System location: These records are maintained in the Commission's Regional and Branch Offices for the geographical areas covered by those offices. Duplicate copies also may be maintained in the headquarters office in Washington, D.C.

Categories of individuals covered by the system: Records include information on officeers, directors, principal shareholders, and certain other persons having a relationship with or a transaction with a registrant that has utilized one of the exemptions, such as Regulations A, B, E and Rule 146F under the Securities Act of 1933.

Categories of records in the system: The records describe the individual's relationship to a registrant and other relevant material business information about the individual.

Authority for maintenance of the system: Title 15, United States Code, Section 77c(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information in the records may be used as follows:

1. By SEC personnel in processing registration statements and periodic reports and other documents required to be filed with the Commission under provisions of the Federal securities laws; may also be used in responding to inquiries from Members of Congress or the public concerning a registrant and in preparing no-action letters.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

3. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

4. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

5. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request in connection with the hiring or retention of an employee, the issunace of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

6. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general request for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

7. In any proceeding where the federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

8. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee receiver, master special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the the Commission of the Federal securities laws of the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form and are stored on shelving.Records or portions of records may be maintained in machine readable form.

Retrievability: Records are accessed by name and/or file number assigned to applicant. Individual name access is available through the Commission's Name-Relationship Index system.

Safeguards: Records contain public information and are available through Public Reference Section. Records are maintained in central records office, which is locked at night.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Documents and other information required to be filed under Regulations A, B, E, and F, and Rule 146 promulgated pursuant to provisions of the Securities Act of 1933.

SEC-4

System name: Beneficial Ownership, Acquisition, Tender Offer, and Solicitation Records Filed under the Securities Exchange Act of 1934—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records contain information on certain persons who own beneficially more than 5 percent of any equity security of a class specified in Section 13(d)(1) of the Securities Exchange Act of 1934 and on persons making a tender offer to acquire more than 5 percent of such equity securities.

Categories of records in the system: The records contain the initial information and changes regarding beneficial ownership of the equity securities of certain issuers, as well as information on tender offers. The records also contain other relevant material informations such as the individual beneficial owner's name, citizenship, relationship to the issuer, role in transaction, and social security or tax identification number (when provided on a voluntary basis).

Authority for maintenance of the system: Title 15, United States Code, Section 78m and 78n.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By the SEC staff to verify information contained in other filings and in preparing no-action letters.

2. To respond to requests from Members of Congress and the public concerning tender beneficial owners, offers, acquisitions or solicitations of securities.

3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a "routine use," to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

6. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

7. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

9. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

10. To prepare, on a periodic basis, for public inspection tabulations of beneficial ownership, classified variously by issuer, reporting persons, and in any other matter deemed necessary and appropriate. Tabulations of various types may also be prepared from time to time upon specific requests therefor.

11. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form and on magnetic tape and cards.

Retrievability: Hard copy records are accessed by name and/or file number assigned to issuer. Computer tabulations derived from data contained in the hard copy records are accessed by issuer or by name of reporting individual; more specialized methods of accessing records may be developed upon request.

Safeguards: Records contain public information and are available through Public Reference Section. Records are maintained in central records office, to which access is limited to authorized personnel.

That office is locked at night and the building where the records are maintained has a 24-hour security guard.

Retention and disposal: While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW, Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information is from public reports that are required by statute to be filed with the Commission.

SEC-5

System name: Ownership Reports and Insider Trading Transaction Records Filed under the Securities Exchange Act of 1934, Public Utility Holding Company Act of 1935, and Investment Company Act of 1940—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records contain information on individuals who are required by statute or rule to file reports concerning their beneficial ownership of certain securities and changes in that ownership.

Categories of records in the system: The records contain the initial information and changes regarding beneficial ownership of the securities of certain issuers. Such information includes the name of the reporting person, the insider control number assigned to him, the relationship of the reporting person to the issuer of the security, the social security number of the reporting person, the nature of the ownership, and financial transaction data with regard to the securities holdings of the reporting person.

Authority for maintenance of the system: Title 15, United States Code, Sections 78p, 79q, 80a-9, 80a-10, 80a-16, 80a-17, and 80a-30.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To prepare for publication on a monthly basis the Commission's "Official Summary" of security transactions of insiders which is made available for purchase by the public.

2. To prepare special reports which identify short-swing trading, late reporting, and ownership histories.

3. To respond to requests by members of Congress and the public for information concerning insider trading with respect to particular issuers.

4. By SEC personnel for use in processing filings and other documents filed with the Commission.

5. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

6. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a rountine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

7. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

8. A record from this system of records may be disclosed as a "routine use" to a Federal, State, or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

11. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

12. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form and on magnetic tape and cards.

Retrievability: Records are accessed by name and/or file number assigned to registrant. Individual name access may be gained in computer listing, through the Commission's Name-Relationship Index system.

Safeguards: Records contain public information and are made available to the public through the Official Summary, which is published monthly. Access to the underlying records is limited to authorized personnel. The records are kept in an office that is locked at night and in a building having a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW, Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See record access procedures above.

Record source categories: Information for these records is extracted pursuant to the applicable sections of the various securities acts and regulations adopted pursuant thereto.

SEC-6

System name: Periodic Reports Filed under the Securities Act of 1933, Securities Exchange Act of 1934, Public Utility Holding Company Act of 1935, and Investment Company Act of 1940 and Investment Advisers Act of 1940.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records may also be maintained in SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records include information concerning officers, directors and certain shareholders of issuers required to file periodic reports with the Commission.

Categories of records in the system: The records describe lawsuits, shareholdings, business transactions, relationships to the issuer and other relevant material business information about the individual.

Authority for maintenance of the system: Title 15, United States Code, Sections 78m, 79n, 80a-30, and 80b-4, and rules and regulations adopted by the Commission under the Securities Act of 1933, the Securities Exchange Act of 1934, Public Utility Holding Company Act of 1935, the Investment Company Act of 1940 and the Investment Advisers Act of 1940.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following purposes:

1. By SEC staff in the processing of filings.

2. Records may be used to respond to inquiries from Members of Congress and the public concerning an issuer; may also be used in preparing no-action letters.

3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

6. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information of other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

7. A record from this system of records may be disclosed to a Federal, State of local governmental authority, in response to its request, in connection with the hiring or retention of an investigation of an employee, the issuance of a security clearance, the reporting of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

9. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

10. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the

Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form or microform.

Retrievability: Records are accessed by name and/or file number assigned to registrant. No individual name access is provided, although the Commission's Name-Relationship Index system cross-indexes the names of individuals with registrants.

Safeguards: Records contain public information and are available through the Public Reference Section. Records are maintained in central records office, which is locked at night and the building where the records are maintained has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. After approximately three years they are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW, Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Periodic reports filed by registrants under the applicable Federal securities laws.

SEC-7

System name: Proposed Sale of Securities Records Filed under the Securities Act of 1933-SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also may be maintained in SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records contain information on persons for whose account securities are proposed to be sold pursuant to rules adopted by the Commission such as Rules 144, 236, 237 and 240 under the Securities Act of 1933.

Categories of records in the system: These records contain information about individuals who propose to sell a specific number of securities, and include information on the class of securities, the name of the issuer, the name of the seller, and the seller's relationship to the issuer, the seller's social security number or IRS tax number, and the date of the sale.

Authority for maintenance of the system: Title 15, United States Code, Sections 77c(b), 77d(1); 17 CFR 230.144; 17 CFR 230.236(c); 17 CFR 230.237(a); 17 CFR 230.240(h).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To aid the Commission's staff in reviewing documents filed with the Commission and for verification and recording of block sales of securities; may also be used to respond to inquiries by Members of Congress or the public concerning sales of securities and in preparing no-action letters.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information, or after pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

6. A record from this system of records may be disclosed to a Federal, State or local government authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

7. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

8. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

9. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and the those matter appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form and on magnetic tape and cards.

Retrievability: Records are accessed by name and/or file number assigned to the issuer. The magnetic media is accessed by special computer programs on a periodic basis. No individual name access is provided, although the Commission's Name-Relationship Index system cross-indexes names with registrants.

Safeguards: Records contain public information and are available to the public at the Commission's Public Reference Room. Access to the records is limited to authorized personnel. The records are maintained in an office which is locked at night in a building which has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW, Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Notices of proposed sale of securities filed under Rules 144, 236, 237, and 240 which have been promulgated under the Securities Act of 1933.

SEC-8

System name: Proxy Soliciting Material Filed under the Securities Exchange Act of 1934, Public Utility Holding Company Act of 1935, and Investment Company Act of 1940.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Duplicate copies may be maintained in SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records include information on officers, directors and certain stockholders of an issuer and persons other than management who are required to file proxy soliciting material with the Commission in advance of its use.

Categories of records in the system: The records describe business relationships and transactions of director, lawsuits, investigations, affiliations with other companies, and other relevant personal and business information about the individual that is material to the use of the proxy soliciting materials.

Authority for maintenance of the system: Title 15, United States Code, 78n, 791 and 80a-20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel in connection with the processing of proxy statements and proxy soliciting materials; may also be used to respond to requests from Members of Congress and the public concerning proxy contests and the necessity for accurate proxy materials and in preparing no-action letters.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statue or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

6. A record from this system of records may be disclosed to a Federal, State or local government authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

7. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

8. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

9. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form or microform.

Retrievability: Records are accessed by name and/or file number assigned to registrant. No individual name access is provided, although the Commission's Name-Relationship Index system cross-indexes individuals with registrants.

Safeguards: The records contain public information and are available through Public Reference Section. The records are maintained in central records office, which is locked at night and the building where the records are maintained has a 24-hour securities guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procdedures above.

Record source categories: Information is obtained from proxy soliciting material filed with the Commission under the Federal securities laws.

SEC-9

System name: Administrative Audit System—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also may be maintained by Regional and Branch Offices.

Categories of individuals covered by the system: Records are maintained on all individuals, companies, or other agencies indebted to or due an indebtedness from the SEC.

Categories of records in the system: The individual's company, or agency name, the object and/or service provided, the cost and/or periodic rental charge, any and all necessary contractual language on purchase orders, contracts, invoices, travel authorizations, and other miscellaneous forms.

Authority for maintenance of the system: Title 31, United States Code, Chapters 1a and 2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To insure that all obligations and expenditures other than those in the pay and leave system are in conformance with laws, existing rules and regulations, and good business practice.
2. To maintain subsidiary records at the proper account and/or organizational level where responsibility for control of costs exists, giving due consideration to the fixed and variable cost characteristics of each cost category.
3. To provide appropriate audit documentation for Treasury, GAO, other appropriate agencies and for agency use. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Appropriate accounting data is shown in computer printouts supported by the originals of hard copy (purchase orders, memorandum form, subsidiary ledgers, and other miscellaneous invoices and other documents).

Retrievability: These records (original hard copies) are indexed by name of individuals, companies, and other agencies in alphabetical sequence.

Safeguards: Only those people authorized by the Office of the Comptroller and certain governmental agencies approved by law, are given access to any of these records.

Retention and disposal: The records are maintained and disposed of by appropriate GSA records schedules.

System manager(s) and address: Comptroller, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See record access procedures above.

Record source categories: The sources for the records are purchase orders, vouchers, invoices, contracts, and other miscellaneous documents, submitted to this Office by employees, vendors and other miscellaneous sources, including claims filed by witnesses in SEC actions.

SEC-10

System name: Administrative Law Judge Assignments and Dispositions of Administrative Proceedings—SEC.

System location: Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on Administrative Law Judges.

Categories of records in the system: The records identify each pending administrative proceeding and the administrative law judge to whom it is assigned. They also contain statistical data relating to number of assignments and the time involved in disposition of assignments.

Authority for maintenance of the system: Title 15, United States Code, Section 78d; Pub. L. 87-592, 76 Stat. 394; 17 CFR 200.30-9, 200.30-10.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records and the information in the records may be used as follows:

1. To determine workload and accomplishment of each administrative law judge.
2. To aid the Chief Administrative Law Judge in determining appropriate assignments to administrative proceedings.
3. To aid in projecting budget requirements for the Office of Administrative Law Judges.
4. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders and are compiled in typewritten form.

Retrievability: The system is indexed by the name of administrative law judge.

Safeguards: The records are stored in private office of the Chief Administrative Law Judge. Physical security is provided by a 24-hour security guard at the main entrance to the building.

Retention and disposal: Records are maintained for at least a ten (10) year period, after which they are disposed of by shredding.

System manager(s) and address: Chief Administrative Law Judge, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See record access procedures above.

Record source categories: Information is obtained from orders issued to individual administrative law judges by Chief Administrative Law Judge and from information and reports submitted to Chief Administrative Law Judge by individual administrative law judges.

SEC-11

System name: Administrative and Litigation Release System—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records in this system also may be maintained at the SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records are maintained on persons who have been named as respondents or defendants in administrative, civil or criminal proceedings involving allegations of violations of the Federal securities laws or related statutes.

Categories of records in the system: Releases pertaining to administrative proceedings are limited essentially to an identification of the respondents, a brief reference to the general nature of the underlying charges, and when appropriate, an identification of the particular securities involved. Releases pertaining to litigation matters relate to court enforcement actions brought under the Federal securities laws.

Authority for maintenance of the system: Title 15, United States Code, Section 78d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used for the following:

1. Giving public notice of the institution and disposition of an administrative, civil, or criminal proceeding brought under the Federal securities laws or related statutes.
2. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).
3. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.
4. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
5. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
6. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in paper form in binders.

Retrievability: Records may be retrieved by the name of the individual through use of index cards, the Securities Violation Bulletin, and the Commission's Name-Relationship Index system.

Safeguards: The releases are kept in a building having a 24-hour security guard.

Retention and disposal: These records are kept indefinitely.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Official files of Federal and State court and administrative proceedings.

SEC-13

System name: Administrative Proceedings Record Cards—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on persons involved in administrative proceedings instituted by the Commission.

Categories of records in the system: Records contain names and addresses of persons who are parties, respondents, and witnesses in SEC administrative proceedings.

Authority for maintenance of the system: Title 15, United States Code, Sections 77u, 78v, 79s, 80a-40, and 80b-12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To identify individuals who are involved in administrative proceedings so that they can be served with documents filed in the proceeding and to record all actions taken in the proceeding.
2. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.
3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise in an official capacity.
4. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
5. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).
6. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropri-

ate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

7. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

8. A record from this system of records may be disclosed as a "routine use" to a Federal, State, or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on 5 x 8 inch cards and stored in filing boxes.

Retrievability: Individual name access for parties and witnesses provided through computer search of the Commission's Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Records are kept in a locked office in a building having a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Administrative Proceedings service list, notices of appearance, transcripts of testimony.

SEC-14

System name: Applications for Relief From Disqualification Filed Under the Securities Act of 1933 and the Commission's Rules of Practice.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Applications for relief from disqualification under Regulation A may be maintained by the SEC Regional and Branch Offices.

Categories of individuals covered by the system: The records contain information with respect to attorneys, accountants, and other professionals seeking relief from SEC orders suspending or barring them from appearing or practicing before the SEC or imposing some other sanction or requirements under the Commission's rules of practice and information concerning officers, directors, principal shareholders, promoters, partners, underwriters, and other persons associated with the registrant who are seeking to vacate or modify any disqualification imposed by the Commission.

Categories of records in the system: Records contain information pertaining to SEC orders which temporarily or permanently suspend attorneys, accountants, and other professionals from appearing or practicing before the SEC or otherwise sanction them pursuant to the Commission's rules of practice. Also contain the individual's application for relief of disqualification under the Rules of Practice and applications for relief from disqualifications under the Securities Act of 1933.

Authority for maintenance of the system: Title 15, United States Code, Sections 77c, 77s, 78w, 79t, 77sss, 80a-37, and 80b-11; 17 CFR 202.2(e); 17 CFR 230.252(f).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By the Commission's staff to process requests for relief from SEC orders or disqualification or disqualifications imposed by or from provisions of applicable Federal securities laws and rules promulgated thereunder.

2. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form in individual files.

Retrievability: Records are accessed by name of individual or issuer or registrant.

Safeguards: Applications for relief from disability under Regulations A and F of the Securities Act of 1933 are made available to the public. Information regarding Rule 2(e) of the Commission's rules of practice is non-public. Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. All records are kept in an office that is locked at night and in a building having a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: 1. Applications for relief of disqualifications under the Securities Act of 1933: Director, Division of Corporation Finance, Securities and Exchange Commission, Washington, D.C. 20549. 2. Applications for relief of disqualifications imposed under the Commission's rules of practice: General Counsel, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information concerning individuals is extracted from applications filed with the Commission for relief from disqualifications.

SEC-15

System name: Comments on Commission and Securities Self-Regulatory Organization Rules Changes—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Persons submitting comments on Commission proposals to adopt or change rules or in connection with rules proposed, adopted, or changed by securities self-regulatory organizations.

Categories of records in the system: Written statements or comments, including transcripts of statements made at Commission hearings on proposed or adopted rules or changes in rules.

Authority for maintenance of the system: Title 5, United States Code, Section 553.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To assist the Commission in developing regulatory and enforcement policies designed to carry out its functions under the Federal securities laws and to assist it in fulfilling its oversight function with respect to securities self-regulatory organizations.

2. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organization, or regulatory or law enforcement agencies of a foreign government.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form.

Retrievability: Records maintained in official file designated by the matter under consideration such as the rule number.

Safeguards: These comments are public information. They are maintained in a building having a 24-hour security guard.

Retention and disposal: These records are retained indefinitely.

System manager(s) and address: Records Officer, 1100 L Street NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See record access procedures above.

Record source categories: Letters and other statements received from public commentators.

SEC-16

System name: Complaint Processing System (CMP)-SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on members of the public and others making complaints to the Commission against broker-dealers and others who are subject to the Commission's jurisdiction.

Categories of records in the system: Records contain the name of the complainant, the name of the entity and subject involved in the complaint, the type of complaint, and the dates relating to the disposition of the complaint.

Authority for maintenance of the system: Title 15, United States Code, 77e, 77f, 77g, 77j, 77n, and 77o; 78e, 78f, 78l, 78m, 78n, 78o, 78p, 78q, and 78u; 79c, 79f, 79g, 79j, 79n, 79r, and 79s; 77eee, 77mmm, 77nnn, 77sss, 77ttt, and 77uuu; 80a sec. 8, 80a sec. 20, 80a sec. 29, 80a, sec. 32, 80a sec. 40, 80a sec. 44, and 80a sec. 45; 80b sec. 3, 80b sec. 4, 80b sec. 12, and 80b sec. 16.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By the SEC staff to analyze and compile data relating to, among other things, the frequency of complaints against particular entities or individuals. This data is reported to the Division of Enforcement for consideration.

2. To respond to inquiries from Members of Congress, the press or the public concerning the status of particular complaints.

3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an offical capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employer, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. In connection with proceedings by the Commission pursuant to rule 2(e) of its rules of practice, 17 CFR 201.2(e).

10. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

11. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

12. In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or State or foreign law regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the Federal banking authorities, including but not limited to the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, State securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

13. Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel, or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

14. Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission's staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

15. Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

16. Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

17. Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

18. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on magnetic tape or cards and accessed by special computer programs on a periodic or "on request" basis.

Retrievability: Information is retrievable by the name of the complainant, or the name of the entity or individual against whom the complaint is lodged.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Records are maintained in a building having a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Director, Office of Consumer Affairs, Securities and Exchange Commission, 1100 L Street NW., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See records access procedures above.

Record source categories: Information is received primarily from individuals through letters, telephone calls, or personal visits to Commission offices.

SEC-17

System name: Correspondence Files Pertaining to Registered Broker-Dealers—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also are maintained in the SEC Regional and Branch Offices.

Categories of individuals covered by the system: Individuals who are registered with the Commission as broker-dealers and persons associated with a registered broker-dealer.

Categories of records in the system: Records contain information relating to an individual's activities and transactions as a registered broker-dealer and information concerning the relationship of other persons to the broker-dealer.

Authority for maintenance of the system: Title 15, United States Code, Sections 78a et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. These records are used to maintain a continuity within the SEC as to each registered broker-dealer and to provide the SEC staff with the background and results of earlier examinations of registered broker-dealers as well as an insight into current regulatory problems, if any, concerning each registrant.

2. To aid in responding to requests from Members of Congress and the public relating to particular registered broker-dealers.

3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).

8. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities, Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in paper form and bound in file folders.

Retrievability: Information is indexed by name of registrant. Information regarding individuals may be obtained through the use of index systems.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Records are maintained in a building that has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: In addition to containing correspondence between the registered broker-dealer and the Commission, these files include copies of staff examination reports; information also is received from various segments in the industry and securities self-regulatory organizations.

SEC-18

System name: Correspondence Files Pertaining to Registered Investment Advisers—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also are maintained by the SEC's Regional and Branch Offices.

Categories of individuals covered by the system: Investment advisers registered with the Commission and persons associated with registered investment advisers.

Categories of records in the system: Records contain information relating to an investment adviser, his business, his compliance with provisions of the Federal securities laws. Records also include information on persons associated with investment advisers.

Authority for maintenance of the system: Title 15, United States Code, Sections 78d, 80b-1 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By SEC personnel to determine whether a registered investment adviser is complying fully with applicable requirements.

2. To aid in responding to requests from Members of Congress and the public concerning the status of a registered investment adviser.

3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one more of its members.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).

8. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary the requesting agency's decision on the matter.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exhanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regularory or law enforcement agencies of a foreign government.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records of information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in paper form and bound in a file folder.

Retrievability: Information is indexed by name of the registrant. Information regarding individuals may be obtained througn the Commission's Name—Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Records are maintained in a building that has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: In addition to containing correspondence between the investment adviser and the Commission, these files include copies of staff examination reports, information received from various segments of the industry, including the financial press and other items pertaining to each individual investment adviser or to any complex of investment companies with which it is affiliated.

SEC-19

System name: Correspondence Files Pertaining to Registered Investment Companies—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records are also maintained by SEC Regional and Branch Offices.

Categories of individuals covered by the system: Individuals associated with registered investment companies.

Categories of records in the system: Records contain information relating to an individual's relationships and transactions with a registered investment company.

Authority for maintenance of the system: Title 15, United States Code. Sections 78(b) and 80a-1 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By SEC personnel to monitor compliance with the provisions of the Investment Company Act of 1940.

2. To aid in responding to requests from Members of Congress and the public relating to particular registered investment companies.

3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

8. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to any agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in paper form and bound in a file folder.

Retrievability: Information is indexed by name of registrant. Information regarding individuals may be obtained through the use of index systems and the Commission's Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Records are maintained in a building that has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, DC 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: In addition to containing correspondence between the registered investment company and the Commission, these files include copies of staff examination reports, information received from various segments of the industry, including the financial press and other items pertaining to each individual investment company or to the complex of investment companies with which it is affiliated.

SEC-20

System name: Defendant Index—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on persons involved in legal actions with the SEC or in which violations of the Federal securities laws are alleged. These include injunctive, subpoena enforcement, civil and criminal and contempt actions.

Categories of records in the system: Records contain information regarding all legal actions filed by the SEC and information regarding actions brought against the SEC. They may also contain information with respect to criminal actions prosecuted by the Department of Justice. The records include the name of the case, the court's case number, any court designation, and type of action.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s, 77t, 78u, 79r, 77uuu, 80a-41, and 80b-9.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By SEC personnel to locate and identify a particular court case.
2. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.
3. To respond to requests from Members of Congress or the public for information concerning litigation matters.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on 3x5 inch index cards and stored in filing boxes.

Retrievability: Records are indexed by name.

Safeguards: Records are maintained in locked steel cabinets that are kept in a locked office and in a building having a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Legal documents filed in civil, administrative and criminal proceedings.

SEC-21

System name: Division of Corporate Regulation Bankruptcy Act Records—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549, SEC New York Regional Office, New York, New York 10007, SEC Chicago Regional Office, Chicago, Illinois 60604, SEC Los Angeles Regional Office, Los Angeles, California 90012, SEC San Francisco Branch Office, San Francisco, California 90012, and SEC Seattle Regional Office, Seattle, Washington 98174.

Categories of individuals covered by the system: Records are maintained on attorneys for debtors, trustees, attorneys for trustees, United States District Court judges, and United States Bankruptcy judges.

Categories of records in the system: The records contain the following types of information: Addresses, information contained in court pleadings, memoranda regarding findings of SEC investigations, SEC staff memoranda regarding various aspects of court proceedings.

Authority for maintenance of the system: Title 11, United States Code, Sections 572, 608, 665a and Chapter XI Rule 11-6, Official Form Nos. 11-F1 and 11-F2 promulgated by the United States Supreme Court under 28 U.S.C. Section 2075.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC staff in preparation for participation in all phases of Chapter X and XI debtor relief proceedings, including court hearings and meetings with trustees, counsel, presiding judges, and with other interested parties. Files also are used in responding to inquiries of Congressmen, public investors, and other agencies with respect to pending or terminated bankruptcy proceedings.
2. In any proceeding where the federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
3. By SEC personnel for purposes of investigation possible violations of the federal securities laws.
4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
5. As a data source for management information for production of summary decriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchange and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are kept in hard copy form in filing cabinets.

Retrievability: The records are indexed by case name or company name and case number Information on individuals may be retrieved through use of SEC Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. The office where records are maintained is locked at night and a 24-hour security guard limits access to building.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, Division of Corporate Regulation, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records are sent to SEC by courts and attorneys. Some unsolicited information is obtained from members of the public, and information also is received from individuals including those to whom the records relate.

SEC-22

System name: Division of Corporation Finance Branch Working Files—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on officers, directors, shareholders, and other persons having relationships with registrants.

Categories of records in the system: The information in the system generally includes material concerning registrants filed with the SEC under the Securities Act of 1933 and the Securities Exchange Act of 1934 and may describe relationships or transactions named individuals may have with such registrants.

Authority for maintenance of the system: Title 15, United States Code, Sections 77e, 77g, 77h and 77j; 78l, 78m, 78n, 78o(d), and 78p; 77eee.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To process registration statements, proxy statements, periodic reports and other reports required by statute or rule to be filed with the Commission.
2. To aid in responding to inquiries from Members of Congress, the press and the public regarding registrants.
3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
5. In any proceeding where the federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice. 17 CFR 201.2(e).
8. A record from this system of records may be disclosed as a "routine use" to a federal, state or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
9. A record from this system or records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in hard copy form and stored on shelving.

Retrievability: The records are indexed by the name of the registrant. The Commission's Name-Relationship Index system, however, cross-indexes names of individuals with the names of registrants.

Safeguards: Access to these files is limited to authorized persons. The records are maintained in a building that has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Director, Division of Corporation Finance, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: The information is obtained through informal meetings and conversations with registrants and their representatives; documents that are filed with the Commission; communications from other members of the Commission's staff; publications; notes and letters from registrants, their counsel, and other interested persons, including shareholders, investors, and individuals including where practicable those to whom the information relates, and internal working papers prepared by members of the staff.

SEC-23

System name: Division of Corporation Finance Index for Filings on Schedule 13D and Filings under Regulations A and B—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: The categories of individuals on whom records are maintained in the system are (1) all persons filing a Schedule 13D, and (2) all persons filing as registrants under Regulations A or B.

Categories of records in the system: The information in this system indicates whether individuals have filed a Schedule 13D and if so for what registrants. It also indicates whether or not such individuals have filed as registrants in offerings under Regulation A or B.

Authority for maintenance of the system: Title 15, United States Code, Sections 77c(b), 78m(d) and 78n(d).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel to maintain a control system over such public filings; to determine whether named persons have made such filings, and to verify information concerning such filings, as such information may be disclosed in other filings.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or other issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. In any proceeding where the Federal securities laws are in issue or in which the commission or past or present members of its staff is a party or otherwise involved in an official capacity.

5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

6. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

7. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

9. To aid in responding to requests for information from Members of Congress, the press and the public concerning such filings and offerings.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on index cards.

Retrievability: The record for schedule 13D is indexed alphabetically both by name of the bidder and the registrant. The Regulation A and B records are indexed by the name of the registrant. The SEC Name-Relationship Index system cross indexes the names of individuals with the names of registrants.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. The records are maintained in a building that has a 24-hour security guard.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, Division of Corporation Finance, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW, Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: The information is extracted from Schedule 13D filings and Regulation A and B filings, which are required by regulation to contain specified information concerning certain individuals.

SEC-27

System name: Division of Investment Management Correspondence and Memoranda Files—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: The records concern individuals who have requested "no-action" or interpretive advice and general correspondence from investment advisers and persons associated with them or investment companies.

Categories of records in the system: The records contain interpretation of the Federal securities laws as they apply to a certain set of facts. Facts may describe the individual's relationship to a company or his role in a transaction. Addresses of individuals are included in the records.

Authority for maintenance of the system: Most of the information in the files was submitted voluntarily. To the extent that information was solicited, such solicitation was done in reliance upon the Commission's general power to enforce the Investment Company Act, 15 U.S.C. 80a-41, the Investment Advisers Act, 15 U.S.C. 806-9, the Securities Exchange Act of 1934, 15 U.S.C. 78u, and the Securities Act of 1933, 15 U.S.C. 77s.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By the staff to aid in processing current requests for no-action or interpretative letters.
2. To assist in processing registration statements and reports and other documents filed with the Commission under the Investment Company Act or the Investment Advisers Act.
3. To respond to inquiries from Members of Congress, the press or the public concerning matters arising under the Investment Company Act and the Investment Advisers Act.
4. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
5. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
6. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
7. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
8. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
10. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).
11. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.
12. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Free-

dom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Index cards and paper copies of memoranda and items of correspondence are kept in file cabinets.

Retrievability: These records are indexed by name of registrant. Cross-indexing to individuals is available through the Commission's Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. They are maintained in a building having 24-hour security guards.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, Division of Investment Management, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Personal information primarily is supplied by the individual. Some information may be supplied from other SEC personnel as a result of an investigation, litigation or documents filed by the individual or including information about the individual that are filed by an investment company or investment adviser.

SEC-28

System name: Employee Photograph File-SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: All current employees of the SEC.

Categories of records in the system: Name and photograph of each SEC employee.

Authority for maintenance of the system: 41 CFR 101-20.301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To identify current SEC employees for internal agency purposes or to assist other governmental agencies in determining whether an individual is a current employee of the Commission.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Photographs are attached to index cards.

Retrievability: The system is alphabetically indexed by name of employee.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. The records are maintained in a lockable office with limited access. The building has a security guard present on a 24-hour basis.

Retention and disposal: Records are destroyed upon termination of employment.

System manager(s) and address: Director, Office of Administrative Services, 1100 L Street, NW., Washington, D.C.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Photographs are obtained when each individual is issued an official identification card.

SEC-29

System name: Employees Current Card File—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: All current employees of the SEC.

Categories of records in the system: Name, Social Security number, SEC identification number, office room number, and telephone number of each current SEC employee.

Authority for maintenance of the system: 41 CFR 101-35.503 and 101-20.301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information in these records may be used as follows:

1. The records compose the master file from which the SEC telephone directory is periodically compiled.

2. These records also are used for reference purposes in reissuing SEC identification cards.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is maintained on index cards.

Retrievability: The system is alphabetically indexed by name of employee.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Individual cards are destroyed when employment with the SEC is terminated.

System manager(s) and address: Director, Office of Administrative Services, 1100 L Street, NW., Washington, D.C.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information is obtained from each employee and/or the administrative assistant of his Office or Division within the SEC.

SEC-30

System name: Equal Employment Opportunity Complaints—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained of SEC employees making equal employment opportunity complaints and employees involved in the investigation of such complaints.

Categories of records in the system: Records contain information pertaining to employee discrimination complaints and the results of investigations into those complaints.

Authority for maintenance of the system: Executive Order 11478.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information in these records may be used for the following:

1. To process employment discrimination complaints.

2. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

3. These records may be used by the SEC in any litigation or administrative action by an employee or others in which the SEC's Equal Employment Opportunity program activities are in issue.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are kept in paper form in file folders and filing cabinets.

Retrievability: The records are indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. The records are kept in a building having a 24-hour security security guard.

Retention and disposal: The records are kept indefinitely.

System manager(s) and address: Executive Director, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: The information in the records is obtained from the complainant, the complainant's co-workers and supervisors, the investigator and the Commission Equal Employment Opportunity counselor.

SEC-31

System name: Executive/Congressional Personnel Referrals—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on applicants for employment.

Categories of records in the system: Records contain names of applicants, Members of Congress or other individuals who recommend specified individuals for employment and the basis for the recommendation.

Authority for maintenance of the system: Records are unsolicited.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To identify candidates for current and prospective job vacancies within the Commission.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored in paper form in file folders and storage cabinets.

Retrievability: Records are indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Records are kept in a building having a 24-hour security guard.

Retention and disposal: Records are kept indefinitely.

System manager(s) and address: Executive Director, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy

Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records are obtained from persons in the executive and legislative branches of the Federal government and in some cases persons in State governments.

SEC-32

System name: Freedom of Information Act Requests—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records may also be maintained by SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records are maintained on persons requesting files, documents or other information from the Commission pursuant to provisions of the Freedom of Information Act, 5 U.S.C. 552 et seq., as amended.

Categories of records in the system: Records identify the individual requesting access to information, and the information sought and also may describe the individual's reasons for seeking the information.

Authority for maintenance of the system: 5 U.S.C. 552, et seq., as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By SEC personnel to process requests made under the Freedom of Information Act, as amended.

2. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

3. In connection with any litigation challenging or seeking to enjoin actions by the Commission under the Freedom of Information Act, as amended.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in hard copy form.

Retrievability: These records are indexed by name. Access to and use of these records is limited to those persons whose duties require such access.,

Safeguards: These records are kept in a locked office in a building having a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Director, Office of Reports and Information Services, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Communications from individuals for information pursuant to the Freedom of Information Act, as amended.

SEC-33

System name: General Correspondence Files—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Each SEC Regional and Branch Office may retain its own general correspondence file system.

Categories of individuals covered by the system: Records are maintained on persons who write to the Commission seeking information, registering complaints or just making known their views.

Categories of records in the system: The records contain only information that is volunteered by the individual who wrote it.

Authority for maintenance of the system: Voluntary.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By SEC personnel to respond to the inquiry, complaint or statement.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

8. To compile monthly statistical reports indicating the numbers of complaints received with respect to particular entities which are referred to the Division of Enforcement and, where appropriate other Federal agencies or securities self-regulatory organizations.

9. To respond to requests from Members of Congress relating to constitutent inquiries.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory of law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange At of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form and stored on shelving.

Retrievability: Records are indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Physically the records are kept in a locked office in a building having a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information is derived from letter and other communications received by the Commission from individuals who generally are seeking information, registering complaints or making a statement.

SEC-34

System name: Hearings, Proceedings and Studies—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Duplicate copies of these records may be maintained by SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records are maintained on persons who testify, submit statements or otherwise participate in Commission hearings or proceedings such as the Commission Rate Hearings and hearings held in connection with the Institutional Investor Study.

Categories of records in the system: Records include transcripts of testimony and documents filed by witnesses and others in such hearings or proceedings.

Authority for maintenance of the system: Title 15, United States Code, Section 77s, 77t(a), 77(u), 78s, 78u, 78v, 79s, 79t, 77sss, 77ttt, 77uuu, 80a-37, 80a-38, 80a-39, 80a-40, 80b-11 and 80b-12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information in these records may be used as follows:

1. To assist the Commission in developing regulatory and enforcement policies to carry out its functions under the Federal securities laws.
2. To assist the Commission in preparing studies and analyses to be transmitted to the Congress and make public concerning matters within the Commission's jurisdiction or matters that may be appropriately committed to the Commission's jurisdiction.
3. In connection with investigations by the Commission into possible violations of the Federal securities laws.
4. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form.

Retrievability: Individual name access is provided through the SEC Name-Relationship Index system.

Safeguards: Records generally are available for public inspection. They are kept in an office that is locked at night and in a building having a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Transcripts of hearings, documents, reports and other submissions made to the SEC.

SEC-35

System name: Investigations and Actions Index System—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on persons against whom the SEC has authorized an investigation or enforcement action.

Categories of records in the system: Records indicate the date when an investigation or enforcement action was authorized and instituted.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s, 77t, 78u, 79r, 77uuu, 80a-41, and 80b-9.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To aid in responding to requests from Members of Congress, the press and the public relating to the status of enforcement actions or investigations.

2. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

3. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

4. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).

5. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

6. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

A record of information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any records within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparations or conduct of enforcement actions brought by the Commission for such violations, or otherwise, in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are kept in paper form in file folders, binders and filing cabinets.

Retrievability: Records are indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Records are kept in a building having a 24-hour security guard.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, Division of Enforcement, Securities and Exchange Commission, 500 North Captiol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Official action taken by the Commission and reflected in Commission Minute Orders.

SEC-37

System name: Investor Service Complaint Index—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on persons registering complaints with the SEC.

Categories of records in the system: Records contain the name of the complainant and the disposition of the complaint.

Authority for maintenance of the system: Voluntary.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To process complaints received from the public.

2. To aid in responding to inquiries from Members of Congress, the press and the public regarding the status of complaints.

3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records of information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in paper form in file folders, binders and filing cabinets.

Retrievability: Records are indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Records are kept in a building having a 24-hour security guard.

Retention and disposal: Records are kept indefinitely.

System manager(s) and address: Director, Office of Consumer Affairs, 1100 L Street NW, Washington, D.C.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Complaints received from various sources relating to matters that may be under the jurisdiction of the Commission.

SEC-39

System name: Mailing Address Labels (MAL)—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on all parties receiving official SEC material by mail on a regular basis. This category includes active registrants, issuers, and a select group of non-filing recipients receiving courtesy copies. It also applies to persons receiving various SEC survey questionnaires.

Categories of records in the system: The records are computerized and contain name and address labels, file number (if applicable), category of mailing and number of copies.

Authority for maintenance of the system: The information contained in the system by the individual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To facilitate and expedite the mailing of SEC material utilizing the computer and automated addressing equipment. Listing of address labels for particular categories of recipients are produced daily as required.

2. To provide statistical information on the number of persons receiving materials on a regular basis.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored on magnetic tape.

Retrievability: The records are indexed alphabetically.

Safeguards: All data files are mantained in the tape and disc library area in the Office of Data Processing. Access to the computer room is limited to authorized members of the staff, and access to the library is limited to the librarian and authorized supervisory personnel of the Office of Data Processing. During nonworking hours, both doors leading into the computer operations area are locked, and periodic checks of the area are made by a government guard assigned to the SEC. Master data files are stored in a fireproof safe. Tape and disc files can be obtained only through the librarian or chief of operations, who make the files available only to those members of the staff of the Office of Data Processing auhorized to use them.

Retention and disposal: Only current address label files are kept. No historical files on out-of-date address information is retained.

System manager(s) and address: Director, Office of Data Processing, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Registration statements under the various securities acts as submitted by the registrants, survey questionnaire lists prepared by the Commission, personal requests by individuals to be placed on the courtesy mailing lists.

SEC-40

System name: Staff Time and Activity Tracking System (STATS)—SEC.

System location: Securities and Exchange Commission 500 North Capitol Street, Washington, D.C. 20549.

Categories of individuals covered by the system: Past and current SEC employees.

Categories of records in the system: The records are computerized and contain information about Commission employees including the employee's name, employee identification number, hours worked during each week, compensation data, and work-activity classifications for each week.

Authority for maintenance of the system: Applicable sections in chapters 21 through 89 of Title 5 of the United States Code.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records be used:

1. As a data source for management information for production of summary descriptive statistics and analytical studies reflecting the Commission's allocations of cost and man-hours by budget activity. Reports generated by this system are used by the Commission and the staff to substantiate requests to Congress and others for personnel allocation and utilization; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

2. For any court litigation or administrative action involving review of personnel action.

3. For responding to requests from Members of Congress or the Executive branch or other agencies for statistical information concerning manpower utilization and needs.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in file folders and on magnetic media.

Retrievability: The records are indexed by the employee's identification number and name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: File folders may be destroyed by the organizations compiling the information after three weeks. Magnetic media are maintained on a permanent basis. Tape and disk files on which data is stored are available only through the librarian or chief of operations of the Office of Data Processing. Back-up master files on tape are stored in the Federal Record Center in Suitland, Maryland.

System manager(s) and address: Comptroller, Securities, and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: The data sources are the weekly staff activity reporting forms submitted by the individual employees of the SEC. The Pay-Time-Leave System is accessed for the compensation information relating to the employee.

SEC-41

System name: Minutes Regarding Action Taken by the Commission-SEC.

System location: Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Categories of individuals covered by the system: Individuals who are the subject of official action taken by the SEC, including individuals who are named defendants or respondents in civil actions or administrative proceedings brought by the Commission.

Categories of records in the system: Records are maintained on official matters that are considered by the SEC and action taken thereon. They describe the matter presented, any recommendations of the staff, and identify the Commissioners present and voting.

Authority for maintenance of the system: Title 15, United States Code, Section 78d(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information in the records may be sued as follows:

1. In response to requests from Members of Congress, other Federal or State or local governmental authorities or securities self-regulatory organizations to indicate the official action of the Commission on a particular matter.

2. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

3. They are distributed to senior supervisory personnel on the Commission's staff for informational purposes.

4. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on magnetic cards and in a Bowne Word One System.

Retrievability: These records are indexed by name.

Safeguards: Minutes are kept in locked safe. Index cards are kept in locked card files and the building in which these records are located has a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records are complied at meetings of the Commission.

SEC-42

System name:

Name-Relationship Search System (NRS).

System location:

Securities and Exchange Commission, 450 Fifth Street, NW, Washington, D.C. 20549.

Categories of individuals covered by the system:

Records are maintained on principals and other individuals listed in filings by corporate issuers of securities, principals and other individuals listed in applications for registration and amendments thereto filed by broker-dealers, investment advisers, transfer agents (non-bank), municipal securities dealers (which are banks or separately identifiable departments or divisions of banks), clearing agencies (non-bank), and securities information processors; individuals who are required to file ownership reports as corporate insiders; individuals who are the subjects of matters under inquiry; individuals including defendants, respondents and witnesses, named in investigations and enforcement actions relating to securities violations; and individuals listed in filings by self-regulatory organizations regarding the entry or re-entry of statutorily disqualified persons into the securities business. Records are also maintained on persons who are the focus of general inquiries or complaints to the Commission.

Categories of records in the system:

The records are computerized and contain index information that relates the names of the individual to the docketed name of the formal filing or the case name when an enforcement or litigation proceeding is involved. The records include the SEC file numbers, date, information on the relationship, the social security number of the individual (if available), disposition of cases (if available), and violations alleged (if any).

Authority for maintenance of the system:

Title 15, United States Code, Sections 77e, 77f, 77j, 77g, and 77o; 78f, 78l, 78m, 78o, 78o-1, 78p, 78q-1, and 78u; 79c, 79f, 79g, 79r, and 79t; 77eee, 77mmm, 77nnn, 77ttt, and 77uuu; 80a-8, 80a-20, 80a-29, 80a-32; 80a-40; 80a-44, and 80a-45; 80b-3, 80b-4, 80b-12, and 80b-16.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records may be used as follows:

1. By authorized SEC personnel in connection with their official functions including, but not limited to, the processing of documents filed with the Commission, the conduct of investigations into possible violations of the Federal securities laws, and other matters relating to the Commission's regulatory and law enforcement functions.

2. To conduct name searches upon the request of authorized individuals in other governmental agencies (Federal, State, local or foreign), or securities self-regulatory organizations for purposes of carrying out their designated functions.

3. Where there is an indication of a violation or potential violations of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

5. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to any agency decision concerning the hiring or retention of any employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the firing or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

10. To aid in responding to inquiries from Members of Congress, the press and the public concerning matters that are within the Commission's jurisdiction.

11. In connection with the regulatory and enforcement responsibilities mandated by the Federal securities laws, or State or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the Federal Banking authorities, including but not limited to the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, State Securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

12. Records in this system may be disclosed as routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws or the Commission's rules of practice, 17 CFR 201.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

13. Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further infor-

mation about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

14. A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

15. Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in Federal securities laws.

16. Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

17. Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 200.735-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws, in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

18. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system.

Storage:

The records are maintained on magnetic disk and tape.

Retrievability:

Information is retrieved by the name of the individual or by certain Commission identification numbers. Access for inquiry purposes is via a computer terminal. NRS contains index data from several SEC data bases, and several systems of records separately published pursuant to the Privacy Act. However, the NRS system may be used to directly access the orginal data in these other data bases or systems of records.

Safeguards:

Access to NRS must be authorized by the division or office head or by a member of the staff pursuant to delegated authority. Direct data access via computer terminals is restricted to certain authorized personnel.

Retention and disposal:

A record of search transactions is maintained on magnetic storage media. Computer tape and disk files, on which the data is stored, are available only through the librarian or chief of operations of the Office of Information Systems Management. Backup master files on tape are stored at a secured auxiliary SEC storage facility. Records are maintained indefinitely at this time.

System manager(s) and address:

Director, Office of Information Systems Management, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, D.C. 20549.

Notification procedure:

All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room, 450 Fifth Street, NW, Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, Washington, D.C. 20549.

Record access procedures:

Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, Washington, D.C. 20549.

Contesting record procedures:

See Record access procedures above.

Record source categories:

The sources include filings made by issurers, broker-dealers, investment advisers, insiders, self-regulatory organizations, and others; documents relating to matters under inquiry; and enforcement actions. The enforcement documents are comprised of SEC opinions and orders, recommendations from SEC enforcement officials for institution of docketed investigations, court pleadings, and findings and orders issued by State and Federal courts, State securities boards, national securities exchanges, and self-regulatory organizations, and individuals, including the individual to whom the information relates. Information may also be received from other State, local or foreign law enforcement or regulatory organizations, as well as complaint letters received by the Commission.

SEC-43

System name: No-action and Interpretative Letters—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on persons requesting interpretative advice from the Commission's staff regarding statutes administered by the Commission, or requesting a statement that the Commission's staff will not recommend any enforcement action based on the facts presented.

Categories of records in the system: Records contain interpretations of the Federal securities laws as they apply to a set of facts that have been presented by an individual or company. The facts given may describe the individual's relationships with the company or his role in the transaction or give other details concerning individuals.

Authority for maintenance of the system: Information is voluntarily submitted by the person requesting the no-action or interpretative letter.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel to process requests for no-action or interpretive positions.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. To respond to inquiries from Members of Congress and the public concerning the applicability of the Federal securities laws to particular situations.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained as part of the general files of the Commission in hard copy form.

Retrievability: Individual name access is provided in cross-reference index maintained in the Classification Unit of the Office of Records.

Safeguards: No-action and interpretative letters are generally made availabile to the public (See 17 CFR 200.81) and are available through the Commission's Public Reference Section. Except for public disclosure, access to these records is limited to authorized individuals and the records are kept in a locked office in a building having a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Communications sent to the Commission's staff requesting interpretations or no-action position.

SEC-44

System name: Office of the Chief Accountant Working Files-SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Accountants and accounting firms.

Categories of records in the system: The records contain information pertaining to accounting practices, problems, and opinions and information concerning the activities of individual accountants in connection with whether they should be named in a Commission enforcement action or in a proceeding pursuant to the Commission's rules of practice.

Authority for maintenance of the system: Title 15, United States Code, Sections 77g, 78l(b), 17 CFR 200.22.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To assist that Office in performing the functions assigned to it by the Commission (See 17 CFR 200.22) including the formulation of accounting policies to be applicable in the case of documents required to be filed with the Commission.

2. To respond to inquiries from Members of Congress, the press and the public concerning accounting matters.

3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).

7. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

8. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currenty, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File index cards and file folders.

Retrievability: Alphabetically by individual, subject, and firm. Information with respect to individuals is available through the Commission's Name-Relationship Index system.

Safeguards: Records are kept in locked filing cabinets and maintained in a building which has a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Chief Accountant, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: The information contained in the system is derived from official SEC records, letters and inquiries from the public, SEC staff memoranda, which may include information derived from investigations, litigation, and other submissions, and professional auditing and accounting literature and information received from individuals including where practicable those to whom the records relate.

SEC-45

System name: Office of General Counsel Work Files—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on persons who are subjects of SEC investigations, persons involved in litigation with the SEC persons involved in administrative proceedings, persons involved in litigation of interest to the SEC, persons communicating with the SEC, SEC personnel against whom complaints have been lodged by others.

Categories of records in the system: Records contain information relevant to SEC investigations, court pleadings, documents, and orders filed in civil, administrative and criminal proceedings; letters detailing requests, complaints, and other topics of interest to the person writing; investigative material regarding allegations of possible staff misconduct; and other memoranda gathered and prepared by staff in performance of their duties.

Authority for maintenance of the system: Title 15, United States Code, Section 78d(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By the staff of the Office to render legal advice concerning SEC investigations and actions, to represent the SEC in all judicial proceedings in which the SEC is involved as a party or as amicus curiae, to keep the staff informed as to litigation which may be of interest to the SEC, to respond to communications made to the SEC, to investigate and make recommendations regarding complaints of misconduct by SEC employees, to render legal advice regarding SEC orders suspending an attorney, accountant or other professional from appearing or practicing before the SEC, to represent SEC personnel who are being sued, to prepare comments on pending legislation and to draft proposed legislation, to review articles, treatises, and speeches made by Commission personnel relating to the Commission or to statutes and rules administered by the Commission, to deal with problems arising under the various Federal statutes, to assist in any SEC matter where legal advice is needed.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charge with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

4. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).

5. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

6. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a securities clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

7. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its requests, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of a employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organization, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 79u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities law or the Commission's rules of practice.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in paper form in file folders, binders and filing cabinets.

Retrievability: Records may be accessed by relevant name, although there is not necessarily a method by which the name of a particular individual can be accessed.

Safeguards: The records are generally retained in the files of the attorney assigned to the particular matter. They are kept in a building that has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: General Counsel, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records are obtained from administrative and court pleadings, transcripts, documents, and orders; SEC personnel; other SEC files; communications to the SEC; evidence gathered in connection with any matter within the jurisdiction of the SEC and from individuals, including where practicable, those to whom the records relate.

SEC-46

System name: Office of Opinions and Review Working Files-SEC.

System location: Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C.

Categories of individuals covered by the system: Records are maintained on individuals who were or are respondents in administrative proceedings instituted by the Commission.

Categories of records in the system: These records include duplicate copies of documents formally filed and entered in administrative proceedings brought before the SEC and internal memoranda prepared by the staff of the Office of Opinions and Review in the Course of the decision making process in administrative proceedings.

Authority for maintenance of the system: Title 15, United States Code, Sections 77u, 78v, 79s, 77ttt, 80a-39, and 80b-12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used as follows:

1. By SEC personnel to prepare opinions for the Commission in connection with pending reviews of administrative decisions.
2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
4. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.
5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
6. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
7. To respond to request from Members of Congress or the public regarding the status or result of an administrative proceeding.
8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.
9. In proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
10. In connection with proceedings by the Commission pursuant to Rules 2(e) of its rules of practice, 17 CFR 201.2(e).
11. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders which are stored in filing cabinets.

Retrievability: The records are indexed by case name. Individual information can be acquired through use of the Commission's Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those individuals whose official duties require such access physical security is provided by a 24-hour security guard at the entrance to the building.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, Office of Opinions and Review, Securities and Exchange Commission, 500 North Capitol Street, NW, Washington, D.C.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by the parties in the administrative proceeding before the SEC, their counsel, and administrative law judges.

SEC-47

System name: Office of Personnel Code of Conduct and Employee Performance Files—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Such records also may be maintained in other Offices and Divisions in the Commission and Regional and Branch Offices.

Categories of individuals covered by the system: SEC employees, past and present.

Categories of records in the system: The system of records includes information in the following categories of records. (a) Adverse action cases, regulatory appeal files, grievances and complaints relating to an employee; (b) Code of Conduct files–established under SEC employee conduct regulations (17 CFR 200.735-1 et seq.):Rule 2—Outside employment material; Rule 3—Employee securities transactions ; Rule 4—Actions in cases of personal interest; Rule 5—Negotiations for private employment; Rule 6—Practice by former members and employees of the SEC; Rule 7—Employee Debts; Rule 9—Statements of employment and financial interest (GS 15's and above); Rule 10—Statement of employment and financial interest (Special Employees); (c) Investigatory materials gathered in connection with the individual's initial appointment to the agency as well as materials gathered in connection with investigations into allegations of employee misconduct.

Authority for maintenance of the system: 5 CFR Parts 315, 351, 430, 451, 511, 735, 752, 771, Civil Service Regulations promulgated thereunder and 17 CFR 200.735-1 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these files may be used for the following:

1. Assigned Office of Personnel Staff uses records in category (b) above to verify employee compliance with SEC Conduct Regulations.

2. Any of the above records may be used by the Commission in connection with any action or proceeding brought by an employee before another agency or a court of law to review personnel action taken by the Commission or the Commission's failure to take action.

3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

4. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefits.

5. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

6. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

7. For referral to another agency to determine whether the conduct of an employee may have violated a criminal statute.

8. To aid in responding to inquiries from Members of Congress, the press or others concerning personnel action with respect to a specific employee.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in folders in file cabinets. A computer listing of employee securities holdings is stored under an ID number system to which only the members of the Personnel Office and Data Processing Staffs who are responsible for administering the systems have access.

Retrievability: Records are indexed by employee name. Data on computer listing is retrieved by special ID number as described above.

Safeguards: Materials are pulled and refiled by Office of Personnel staff only and the office containing the records is locked each evening. The computer listing is meaningless without access to the ID numbers which are kept under lock.

Retention and disposal: Records in category (a) are retained 2 years and then discarded. Records in category (b) are kept for 5 years and then discarded. When employee leaves the SEC, his/her conduct files are stored for 2 years by the Office of Records and then destroyed; the computer listing of his/her securities transactions is destroyed upon his/her separation from the SEC. The Rule 6 file, established when a former employee returns to practice before the SEC, is retained indefinitely.

System manager(s) and address: Director of Personnel, Securities and Exchange Commission, 450 5th Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 450 5th Street, NW, Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact the Office of Personnel and address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records in category (a) are obtained from the supervisor/manager(s) initiating action, employee concerned and his/her designated representative; and other individuals making complaints; records in category (b) are obtained from employee concerned. Employee concerned submits information re:Rules 2-6 and 9-10. Both alleged creditor and employee concerned submit information in Rule 7 (employee debts) file. Information in category (c) is gathered, where practicable, from the individual as to whom the information pertains and other individuals including former employers and associates, friends, coworkers, relatives, neighbors. Information may also be received from Federal, State or local law enforcement authorities or other governmental agencies.

SEC-48

System name: Office of Personnel Employee Listings—SEC.

System location: Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on SEC employees, past and present.

Categories of records in the system: The system of records includes information in the following categories of records: (a) Employee payroll number; and (b) employee directory comprised of a computer listing of employees, showing their organizational code, and indicating their date of birth and Social Security number.

Authority for maintenance of the system: Applicable sections in Chapters 21 through 89 of Title 5 of the United States Code.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

1. To assign payroll numbers to new employees and by the Office of Personnel as a device to locate employees; may also be used as an aid to complete employee training forms which require certain information including the employee's date of birth and Social Security number.

2. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

3. To request information from a Federal, State or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information to any agency decision concerning the hiring or retention of an employee, the issuance of a security clearance , the letting of a contract, or the issuance of a license, grant or other benefit.

4. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

5. For internal personnel action involving the employee.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on magnetic tape and reprinted in booklet form.

Retrievability: Records are retrieved by name.

Safeguards: Records are used by Office of Personnel staff only and the office where they are maintained is locked each evening. The building where they are maintained has a 24-hour security guard.

Retention and disposal: New listings are run semi-annually and old employee directories are destroyed. Employee number listings are retained for 10 years and then destroyed.

System manager(s) and address: Director, Office of Personnel, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the Office of Personnel, 500 North Capitol Street, Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact the Office of Personnel and address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information contained in these records is obtained from the employees concerned.

SEC-49

System name:

Office of Personnel Employment and Staffing Files—SEC.

System location:

Securities and Exchange Commission, Washington, D.C. 20549. (Items (h) and (i) below are kept in Washington, D.C. headquarters and in the Commission's Regional and Branch Offices across the country. Each Regional and Branch Office maintains records on only the employees assigned to it).

Categories of individuals covered by the system:

Records are maintained on applicants for SEC employment and present and past employees.

Categories of records in the system:

The system of records includes the following category of records: (a) Applicant files (Standard Forms 171 and resumes, attorney supplements to applications, applicant correspondence and evaluations, and summer employment files); (b) Official personnel folders (Office of Personnel Management Files); (c) Service record cards; (d) Merit promotion posting files, including supervisory appraisals for jobs advertised under SEC Merit Promotion Program; (e) Request to Office of Personnel Management for Schedule C personnel actions; (f) Chronological copies of personnel actions (Standard Forms 50); (g) Office of Personnel Management clerk-typist and clerk-steno examination papers for applicants tested under SEC's delegated recruiting authority; (h) Division/Office/Region employee record cards or micro computer diskettes; (i) Regional Office employee files, including copies of applications and notifications of personnel action (Standard Forms 50) on the employee concerned.

Authority for maintenance of the system:

5 CFR, Sections 213, 293, 302, and 335; 5 U.S.C. 3109 and Civil Service Regulations promulgated thereunder.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and the information contained in these records may be used as follows:

1. Records in category (a) above are used by SEC staff to make referrals to supervisors or administrative assistants in offices with vacancies for which applicants may be considered. Offices may retain copies of applications/resumes and evaluations of candidates they interview whom they feel may be contenders for employment offers later in the year.

2. SEC staff uses records in category (b) above for (i) retention of official personnel documents; (ii) verification of employment; (iii) determination of qualifications for jobs and eligibility for training; (iv) processing of personnel actions.

3. SEC staff uses records in category (c) above for (i) computation of personnel strength of divisions/offices; (ii) verification of employment for credit checks or job applications; (iii) recording of personnel actions processed.

4. SEC staff uses records in category (d) above to maintain records required by the Office of Personnel Management of competitive promotion actions, including (i) records to determine how an announcement for a particular job reads; (ii) records for statistical reports; (iii) records for program effectiveness studies (to send questionnaires to supervisors who made selections under the program, for example). Supervisory appraisals are scored and used in determining

employee's overall standing among all applicants for the job; they are sent to selecting supervisors for review if the employee is certified for consideration (interview).

5. SEC staff uses records in category (e) above to identify Office of Personnel Management control numbers for Schedule C positions and to aid in preparing new submissions.

6. SEC staff uses records in category (f) above for statistical reports.

7. SEC staff forwards records in category (g) above to the Office of Personnel Management at the end of each month if the applicant is not hired; if applicant is hired, records are retained for one year and then destroyed.

8. SEC staff uses records in category (h) above to monitor personnel actions concerning their staffs (i.e., date of employee's last promotion, employee's position description number, etc.) and to record date personnel action requests and reports were forwarded to the Office of Personnel.

9. SEC Regional Offices use records in category (i) above as a reference in preparing personnel actions requests on employees, determining employee eligibility for training or career development counseling and for back-up data in preparing award nominations, etc.

10. Any of the records described above may be used by the Commission in connection with any action or proceeding brought by an employee before another agency or a court of law to review personnel action taken by the Commission or the failure by the Commission to take action.

11. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

12. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

13. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

14. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

15. To aid in responding to inquiries from an employee, Member of Congress, the press or others concerning personnel action taken with respect to a specified employee or employees.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of inquiry.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records in categories (a) and (d)-(f) are kept in folders in file cabinets. Records in categories (b) and (g) are kept in a Diebold power file. Records in category (c) are kept in file drawers. Records in category (h) are kept in file drawers, file boxes or diskette jackets. Records in category (i) are kept in folders in locked cabinets.

Retrievability:

Records are indexed by name.

Safeguards:

Records in categories (a)-(g) are pulled and refiled by Office of Personnel staff only and that Office is locked each evening. Access to official Personnel Folders is limited to employee concerned, his/her supervisors and administrative assistant, supervisors/administrative assistants considering him/her for a job or employee's designated representative; access by other individuals on official business is on a need-to-know basis as approved by the Director or Assistant Director of Personnel. Personnel folders are locked in the Diebold file each evening. Division/Office Directors and Regional Administrators are responsible for keeping employee record cards, micro computer diskettes or employee files (Regional Offices only) under lock and for assuring that their confidentially is maintained. The national office in Washington, D.C. has a 24-hour security guard.

Retention and disposal:

Records in category (a) are retained 6 months and then destroyed. Records in category (b) are forwarded to Federal Records Center 30 days after the employee leaves the SEC by retirement, resignation or death or forwarded to agency to which employee transfers as soon as new agency requests them. Records in category (c) are retained indefinitely. Records in category (d) are retained two years and then destroyed. Records in category (e) are retained indefinitely. Records in category (f) are retained 5 years and then destroyed. Records in category (g) are sent to the Office of Personnel Management at the end of the month if the applicant is hired. If the applicant is not hired, records are retained one year and then destroyed. Records in category (h) are retained indefinitely. Records in category (i) are retained while employee is assigned to office and forwarded to new SEC office if he/she transfers or destroyed if employee leaves the SEC.

System manager(s) and address:

Director of Personnel, Securities and Exchange Commission, 450 Fifth Street NW, Washington, D.C. 20549.

Notification procedure:

All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 450 Fifth Street NW, Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Privacy Act Officer, Washington, D.C. 20549.

Record access procedures:

Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contract or address their inquiries to the Securities and Exchange Commission, Privacy Act Officer, Washington, D.C. 20549.

Contesting record procedures:

See Record access procedures above.

Record source categories:

Records in category (a) are obtained from applicant concerned and interviewer evaluating the applicant. Records in category (b) are obtained from employee and supervisors concerned. Records in category (c) are obtained from official personnel folder of the employee concerned. Records in category (d) are obtained from employees applying for job and their supervisors. Records in category (e) are obtained from employees and supervisors concerned. Records in category (f) are obtained from employees and supervisors concerned. Records in category (g) are obtained from applicant. Records in category (h) are obtained from official personnel actions, employees and supervisors concerned. Records in category (i) are obtained from official personnel actions, employees and supervisors concerned.

SEC-50

System name: Office of Personnel Position Classification Files—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on SEC employees, present and past.

Categories of records in the system: This system of records contains the following categories of records: (a) Official position descriptions; (b) classification and audit reports; and (c) super-grade history file.

Authority for maintenance of the system: 5 CFR Parts 305, 430, 511 and Civil Service Regulations promulgated thereunder.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. Official position descriptions indicate the duties to be performed by employees, in particular grade or pay positions and are utilized in

connection with position management and control and for organizational job alignment purposes.

2. Classification and audit reports are used to indicate to employees, supervisors, and administrative assistants how title, grade, and series for a particular job was determined.

3. Super-grade position submissions are used in processing current submissions.

4. These records may be used by the Commission in connection with any administrative or legal action by an employee brought before other governmental agencies, or in a court of law.

5. To aid in responding to inquiries from Members of Congress or other agencies concerning personnel actions taken against an employee.

6. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

7. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in folders and ringbinders in bookcase and file cabinets.

Retrievability: Position descriptions are retrieved by number or title; other data is retrieved by name.

Safeguards: Materials are pulled and refiled by Office of Personnel staff only and the Office containing the records is locked each evening. The building where the records are maintained has a 24-hour security guard.

Retention and disposal: All but one copy of each record described in (a) is destroyed when position is abolished or description is superceded. That copy is retained 5 years and then destroyed. Records described in (b), (c) and (e) above are retained 2 years and then discarded. Records described in (d) above are retained indefinitely.

System manager(s) and address: Director of Personnel, Securities and Exchange Commission, 450 5th Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 450 5th Street, NW, Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact the Office of Personnel and address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records are obtained from interviews by position classifiers and/or management analysis staff of Executive Director's Office with employee and his/her supervisor(s) and administrative assistant.

SEC-51

System name: Office of Personnel Training Files—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on SEC employees, present and past.

Categories of records in the system: The system of records contains the following categories of records: (a) Requests for training, and (b) training evaluations.

Authority for maintenance of the system: 5 CFR Part 410 and Civil Service Regulations promulgated thereunder.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. SEC staff uses records in category (a) above for statistical reports and employee career counseling.

2. Records in category (b) above are used to determine whether specific class/training source is worth utilizing again. If the decision is made that the class/source should not be reused, the employee's comments may be given to the training facility concerned for use in improving the class which the employee evaluated.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in folders in file cabinets.

Retrievability: Records are indexed by name.

Safeguards: Materials are pulled and refiled by Office of Personnel staff only and the Office containing the records is locked each evening. The building where the records are maintained has a 24-hour security guard.

Retention and disposal: Records are retained two years and then destroyed.

System manager(s) and address: Director of Personnel, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the Office of Personnel, 500 North Capitol Street, Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact the Office of Personnel and address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records in category (a) are submitted by employee's supervisor or administrative assistant. Records in category (b) are submitted by employees concerned.

SEC-52

System name: Office of Public Affairs Records—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records may be maintained by regional and branch offices.

Categories of individuals covered by the system: Records are maintained on SEC Commissioners and other SEC officials, business and financial reporters and editors.

Categories of records in the system: Records include speeches by Commissioners and other Commission officials; telephone numbers and addresses of reporters and editors.

Authority for maintenance of the system: Information is given voluntarily to the Office of Public Affairs.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To contact members of the press when information of interest to their respective publications is made public.

2. To respond to requests for copies of speeches given by SEC Commissioners.

3. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The speeches are kept in a filing cabinet and the press list is kept in a card index box.

Retrievability: Speeches are indexed by name and date. The press list is indexed by name and publication.

Safeguards: Office of Public Affairs is locked after working hours. The building where the records are maintained has a 24-hour security guard.

Retention and disposal: Records are kept indefinitely.

System manager(s) and address: Director, Office of Public Affairs, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information is given voluntarily by reporters and editors and persons requesting copies of speeches.

SEC-53

System name: Pay and Leave System—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also may be maintained by Regional and Branch offices.

Categories of individuals covered by the system: Records are maintained on all individuals employed by the SEC in a current calendar year.

Categories of records in the system: Payroll, leave, attendance, and history records on magnetic tape or disc, card, printout, and other miscellaneous forms (i.e., W-4, retirement card).

Authority for maintenance of the system: Title 5, United States Code, appropriate sections within chapters 21 to 89.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To transmit any lawful compensation to an employee for time employed and/or special awards earned in the performance of official duties.

2. To compile tax withholding, retirement contributions and other types of deductions for transmission to designated authorized recipients (e.g., charity, unions, etc.), other Federal agencies (i.e., IRS, CSC, Treasury, etc.), or State taxing authorities.

3. To provide certain agencies (i.e., OMB, GAO) documents in substantiation of agency expenditures for salaries and personnel benefits by individual and/or by Office within the Commission.

4. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Appropriate data is stored on magnetic tape or disc and is shown on computer printouts. Such data is supported by the originals of hard copies (e.g., time attendance cards, tax withholding statements from employees).

Retrievability: These records are indexed for individuals in alphabetical sequence by name or in numerical order by their agency employee numbers.

Safeguards: Only those people authorized by the Office of the Comptroller and certain governmental agencies, approved by law, are granted access to any of these records.

Retention and disposal: These records are maintained and disposed of pursuant to the regulations imposed by GSA Records Schedule 2, "Payrolling and Pay Administration Records."

System manager(s) and address: Comptroller, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: The sources for the records are personnel action forms, time and attendance cards, withholding certificates, and other related documents, submitted by employees and the Office of Personnel.

SEC-54

System name: Personnel Security Files-SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Present and former agency employees.

Categories of records in the system: Investigatory information relating to personnel investigations conducted by the U.S. Civil Service Commission and other Federal Agencies and Departments for the purpose of granting security clearances and making suitability determinations.

Authority for maintenance of the system: Executive Orders 10450 and 11652.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

2. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

3. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that

the information is relevant and necessary to the requesting agency's decision on the matter.

4. Any of these records may be used by the Commission in connection with any action or proceeding brought by an employee before another agency or a court of law to review personnel action taken by the Commission or the failure by the Commission to take action.

5. To aid in responding to inquiries from an employee, Member of Congress, the press or others concerning personnel action taken with respect to a specified employee or employees.

6. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Files.

Retrievability: Indexed by name.

Safeguards: The records are maintained in locked safes. Access is had only by the Personnel Security Officer and his secretary, both of whom have been cleared for access to top secret information relating to personnel investigations.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: United States Civil Service Commission, other Federal, State and local agencies, previous employers, colleges and other educational institutions, references, and public sources.

SEC-55

System name: Public Utility Regulation Branch Files-SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on attorneys, public utility holding company officials, intervenors and parties in public utility holding company civil and administrative proceedings, and legislators who actively are involved in public utility regulations.

Categories of records in the system: The records may include the following types of information: Addresses, telephone numbers, business relationships, and information disclosed in public utility holding company proceedings and investigations.

Authority for maintenance of the system: Much information is unsolicited. Public Utility Holding Company Act proceedings and investigations are held pursuant to Title 15, United States Code, Sections 79c, d, e, f, g, h, i, j, k, l, m, n, n, o, p, q, r, t, v, x, z, z-1, z-2, z-3, z-4, z-5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To process public utility holding company applications, to answer inquiries, and to prepare and issue notices and orders under the Public Utility Holding Company Act.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

6. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

7. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general request for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper copies of records are kept in file cabinets.

Retrievability: Records on individuals may be retrieved through use of index card system or the SEC Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. The office where records are kept is locked at night and a security guard watches building 24 hours a day.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Director, Division of Corporate Regulation, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records are obtained from company filings with the Commission and other regulatory authorities. State public utility commission, other Federal agencies, correspondence from investors and other interested persons, witnesses, documents, informers, court documents, investigative reports prepared by the SEC staff, and individuals, including where practicable those to whom information in the system relates.

SEC-56

System name: Rule 2(e) of the Commission's Rules of Practice—Appearing or Practicing Before the Commission —SEC.

System location: Securities and Exchange Commission, Washington. D.C. 20549. Records may also be maintained by the SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records contain information on attorneys, accountants and other professionals who appear and practice before the Commission.

Categories of records in the system: Records contain information such as court rulings, and rules in administrative proceedings and other materials compiled in the course of Commission investigation on individual professionals who appear and practice before the Commission.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s, 78w, 79t, 77sss, 80a-37, 80b-11; 17 CFR 201.2(e).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By the Commission's staff to determine whether to recommend to the Commission that action be instituted against an individual professional pursuant to the rules of practice.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued prsuant thereto.

4. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

6. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

7. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

8. In proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

9. In connection with investigations or disciplinary proceedings, by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to be believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the

Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form.

Retrievability: Records are accessed by individual name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Storage: The records are stored on paper and on computer records. Records are retained in a locked file room in a building having 24-hour security guards.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: General Counsel, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information contained in the records is acquired from the individual, from court documents, the records, from an administrative proceeding, and from investigation material gathered by the SEC staff from various sources.

SEC-57

System name: SECO Files—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also may be maintained by Regional and Branch Offices.

Categories of individuals covered by the system: Records are maintained on registered broker-dealers who are not members of a national securities association and persons who are associated with such non-member broker-dealers.

Categories of records in the system: The system contains information regarding non-member broker-dealers and persons associated with them and includes personal, educational and employment background, and business associations of the broker-dealer or associated persons. The system also contains information concerning any disciplinary proceedings or court actions brought against the individual.

Authority for maintenance of the system: Title 15, United States Code, Section 78o(b); 17 CFR 240.15b8-1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. This system of records is routinely used in connection with the regulation by the Commission of non-member broker-dealers and persons associated with non-member broker-dealers pursuant to Section 15(b) of the Securities Exchange Act of 1934, 15 U.S.C. 78o(b).
2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system or records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
4. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
6. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
7. To aid in responding to inquiries from Members of Congress, the press or the public regarding matters under the Commission's jurisdiction.
8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Retrievability: The system is indexed by the name of the non-member broker-dealer only the name of the associate person.

Safeguards: The building in which the records are maintained has 24-hour security guards.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Director, Division of Market Regulation, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: The information in the system is derived from Forms SECO II (soon to be amended and redesignated Form U-4), submitted pursuant to Rule 15b8-1, 17 CFR 240.15b8-1 by the broker-dealer with which an applicant is associated and by the applicant for status as an associated person.

SEC-58

System name: Securities Violations Records and Bulletin—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Copies of the Securities Violations Bulletin are maintained by the SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records are maintained on persons involved in actions for violations of foreign, Federal or State securities laws or the rules of securities self-regulatory organizations.

Categories of records in the system: Records contain any and all of the following information: An individual's name, address, information from other governmental agencies concerning the individual, a biographical sketch, his business association, any charges, arrests, indictments, or convictions, and any court documents and orders in cases involving the individual. The Securities Violations Bulletin contains information pertaining to official actions traken by foreign, Federal and State courts and commissions and by self regulatory organizations with respect to securities violations reported to the SEC within the preceding three months.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s, 77t, 78u, 79r, 77uuu, 80a-41, and 80b-9.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel to compile the Securities Violations Bulletin and supplements thereto, for distribution to authorized SEC personnel, other Federal agencies, State securities regulatory authorities, other Federal, State, local and foreign regulatory bodies with law enforcement functions, and nongovernmental consumer organizations.
2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
4. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.
5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
6. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form and on magnetic tape and cards.

Retrievability: No individual name access is provided but the reports are in alphabetical sequence by name and can be accessed in that manner.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Records are kept in a locked office in a building with a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Commission actions, State, Federal, local and foreign regulatory and enforcement agencies, and securities self-regulatory organizations.

SEC-59

System name: Staff Transfer and Promotion Records—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on SEC past and present personnel.

Categories of records in the system: Records contain information pertaining to career histories of SEC personnel, including information as to transfers and promotions.

Authority for maintenance of the system: Title 15, United States Code, Section 78d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To identify candidates for current and prospective job vacancies.

2. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

3. For use in any administrative matter before any tribunal, including the Civil Service Commission, involving review of personnel action or the failure to take personnel action with regard to an SEC employee.

4. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

5. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in paper form in file holders, binders and file cabinets.

Retrievability: Records are indexed by the employee's name and organizational unit within the agency.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Records kept in a building have a 24-hour security guard.

Retention and disposal: Records are updated periodically, and out-of-date records are destroyed.

System manager(s) and address: Executive Director, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records contain information supplied by the employee, and his supervisors, the Office of the Executive Director and the Office of Personnel.

SEC-60

System name: Subject File Index—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549.

Categories of individuals covered by the system: Records are maintained on persons who make general inquiries of the Commission or who complain of matters under the Commission's jurisdiction.

Categories of records in the system: Contains the name of the person making the inquiry or complaint and indicates the subject file where the communication has been filed.

Authority for maintenance of the system: Inquiries are voluntary.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To classify general inquiries and complaints.

2. For compiling statistics with respect to the number and nature of requests to be used in formulating budgetary and manpower recommendations.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities, Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection

best copy available

with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on 3 x 5 inch index cards and stored in filing boxes.

Retrievability: Records are indexed by individual name.

Safeguards: Records maintained in Classification Unit for staff use only. They are kept in a locked office in a building having a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, NW, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Communications from persons making general inquiry or complaining of matters under the Commission's jurisdiction.

SEC-61

System name: Atlanta Regional Office General Index of Files—SEC.

System location: Atlanta Regional Office, Suite 788, 1375 Peachtree Street, NE, Atlanta, Georgia 30309.

Categories of individuals covered by the system: Individuals on whom records are maintained in this system are generally from within the region covered by this office and are from one or more of the following categories:

Actual and prospective purchasers and sellers of securities; registered investment advisers, and associated persons who have been named in any notice, application, questionnaire, report, or other document submitted to the Commission or its staff pursuant to the Federal securities or bankruptcy laws; persons who were or are actual or prospective subjects of investigation in connection with possible violations of Federal securities laws; defendants, respondents or other parties in administrative, civil and criminal proceedings involving alleged violations of Federal securities laws or involving the application of Federal bankruptcy laws; persons who have communicated with the SEC or its staff concerning any person within one or more of the foregoing categories.

Categories of records in the system: This system contains information about individuals of a type which the regional office considers reasonably necessary to carry out its enforcement and regulatory duties. In addition to an individual's name, documents in the system may reflect detailed information about him concerning one or more of the following matters: His background (including, but not limited to, address, education, occupation, financial condition, and family relationships); qualifications to engage in one or more activities regulated by the SEC; business relationships; business activities, including specific transactions; possible involvement in conduct violative (in whole, or in part) of Federal, State, or foreign laws and rules pertaining to securities and/or prohibiting any fraudulent conduct; prior violations of any Federal, State or foreign laws or rules, or the rules of any self-regulatory entity. This system also includes a general informational index providing access to other SEC records systems.

Authority for maintenance of the system: Title 15, United States Code, Section 78d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By the SEC staff to prepare, collect and preserve documentary materials related to:

(a) Formal investigations and matters under preliminary investigation, except related material preserved in employee work files;

(b) The regulation of specific entities by the Commission, including, but not limited to, copies of communications with or concerning issuers, underwriters, promoters, broker-dealers, investment advisers, and documents filed with the regional office by or on behalf of such entities; except related material in employee work files;

(c) Communications with the public concerning aspects of the Commission's enforcement or regulatory duties;

(d) Administrative, civil and criminal proceedings in which the Commission has any interest in the performance of its statutory duties, except Commission litigation releases, securities violations bulletins, and related material in employee work files.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

5. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

6. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).

7. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

8. A record from this system of records may be disclosed as "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in paper form in file folders and binders.

Retrievability: Records are indexed by individual name entity name, file and/or release number.

Safeguards: Records are kept in area available only to agency personnel and building staff. Only authorized personnel have access to the records. The buildings in which the records are maintained has a 24-hour security staff and program.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, Suite 140, 1371 Peachtree Street, NE, Atlanta, Georgia 30309.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Federal, State, local and foreign regulatory and law enforcement agencies; securities self-regulatory organizations; securities broker-dealers, investment advisers, investment companies, securities issuers, various publicly-owned businesses and their employees; filings with the SEC required of organizations and individuals; courts, and a variety of individuals, including where practicable the individual under investigation.

SEC-65

System name: Chicago Regional Office Index Cards—SEC.

System location: Chicago Regional Office, Everett McKinley Dirksen Bldg., 219 South Dearborn Street, Room 1204, Chicago, Illinois 60604.

Categories of individuals covered by the system: Individuals who are associated with registered broker-dealers and investment advisers and individuals who have been named defendants or respondents in administrative, civil or criminal cases.

Categories of records in the system: Records contain personal information pertaining to an individual, i.e., name, address, business affiliations and his relationships or transactions with broker-dealers, investment advisers and others. These records refer also to SEC releases and indicate the dispositions of court or administrative proceedings; they also contain information regarding SEC investigations or administrative, civil or criminal proceedings in which an individual has been involved.

Authority for maintenance of the system: Title 15, United States Code, Section 78d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel for purpose of investigating possible violations of the Federal securities laws.
2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
4. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
5. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).
6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.
7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

10. To aid in responding to inquiries by Members of Congress, the press and the public concerning matters that are within the scope of the SEC's jurisdiction under the Federal securities laws.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.735-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form, on microfiche, and on microfilm.

Retrievability: System is indexed by name.

Safeguards: Staff personnel maintain and safeguard materials during regular working hours. At night and during weekends, office doors are locked and building guarded. Only authorized personnel are permitted in building or in office at night and during weekends. Members of public are permitted access only to public information. Nonpublic, investigative records are maintained in special file room to which public is not admitted. Persons arriving at office are admitted only through reception desk.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, Everett McKinley Dirksen Bldg., 219 South Dearborn Street, Room 1204, Chicago, Illinois 60604.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including where practicable those to whom the information relates, witnesses, banks, corporations, or other entities gathered during the course of an inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc.; Postal Inspection Service, Department of Justice, State Securities Commission, or other foreign, Federal, State, or local bodies and law enforcement agencies; information obtained from public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC-67

System name: Cleveland Branch Office Broker-Dealer Files—SEC.

System location: Cleveland Branch Office, 899 Anthony J. Celebrezze Federal Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199.

Categories of individuals covered by the system: (1) Broker-dealers registered with the Commission pursuant to the Securities Exchange Act of 1934 and persons associated with such broker-dealers located in Ohio and assigned to the Cleveland Branch Office for inspection by the Chicago Regional Office. (2) Broker-dealers against whom complaints have been filed or about whom inquiries have been made. (3) Open broker-dealer complaint file containing complaints against broker-dealers which are being processed and not yet resolved.

Categories of records in the system: Formal filings, applications and general correspondence relating to registered broker-dealers in the geographical area covered by this office, letters of complaint or inquiry concerning the broker-dealer, inner-office memoranda and work papers in connection with a complaint or inquiry as against a broker-dealer, broker-dealer inspection reports prepared by Cleveland Branch Office staff.

Authority for maintenance of the system: Title 15, United States Code, Sections 78a et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To aid in processing documents to be filed with the Commission by registered broker-dealers.

2. To aid in responding to inquiries from Members of Congress, the press or the public relating to broker-dealers.

3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulator organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State, or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are filed in locked file cabinets located in rooms not available to the public. The Open Complaint File is located in a file cabinet in the outer office that is locked and accessible to the secretary processing such complaints.

Retrievability: The system is indexed by name alphabetically.

Safeguards: File cabinets containing these files are located in nonpublic rooms and locked.

Retention and disposal: Open complaint files, when closed, are placed in the appropriate broker-dealer file; broker-dealer files forwarded to Cleveland Branch Office for inspection are returned to the Chicago Regional Office after inspection; broker-dealer files containing complaints and inquiries are retained until broker-dealer ceases doing business, after which time they are forwarded to the home office in Washington, D.C.

System manager(s) and address: Attorney-in-Charge, Securities and Exchange Commission, 899 Anthony J. Celebrezze Federal Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW, Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Documents required to be filed with the Commission by registered broker-dealers; information received from public, securities self-regulatory organizations and other Federal or State and local regulatory or law enforcement authorities.

SEC-68

System name: Cleveland Branch Office Index Cards—SEC.

System location: Cleveland Branch Office, 899 Anthony J. Celebrezze Federal Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199.

Categories of individuals covered by the system: Records include information concerning individuals against whom the Commission has taken enforcement action, i.e., civil or administrative or who were defendants in criminal cases in which the Commission has an interest; individuals making complaints or seeking information from the staff, and individuals about whom information was received from other Federal, State, local or foreign regulatory or law enforcement authorities or securities self-regulatory organizations.

Categories of records in the system: Docket Cards that indicate individuals against whom the Commission has taken enforcement action as reported in the SEC Docket; cards briefing incoming mail from all sources; complaint cards that show the individual complainant, the broker-dealer or issuer involved, the attorney assigned to the matter, date notice of complaint sent to the Chicago Regional Office, date letters of acknowledgement and inquiry are sent to complainant and broker-dealer or issuer involved and the date the matter is closed; E 10-1 Cards, which show the location of correspondence from individuals; E 10-2 Cards, which cross-reference the individual's name to a broker-dealer involved in an inquiry or complaint; case index cards which contain names of individuals against whom a case has been opened cross-referenced to the proper case file; Regulation A Filing Cards (these cards are kept for reference purposes; they are not up-to-date since they no longer are received from the Chicago Regional Office of the Washington Home Office); and tickler cards which contain the names of individuals from whom correspondence or information is due in order to remind attorney handling the matter as to whether or not that information has been received.

Authority for maintenance of the system: Title 15, United States Code, Sections 77a(b), 78u(a), 79r(a), 77uuu(a), 80a-41(a), 80b-9(a) and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

4. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

5. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).

6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention on an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information on these cards is typewritten on 3 x 5 inch cards and stored in file cabinets located in the Cleveland Branch Office's file room, except cards briefing incoming mail and tickler cards which are stored in the Cleveland Branch Office's reception area. The file room is not open to the public.

Retrievability: All cards are indexed alphabetically except tickler cards which are indexed by the date.

Safeguards: File cabinets containing index cards are located in our general file room which is a private room open only to members of the staff of the Cleveland Branch Office. Indexed incoming mail brief cards and tickler cards are located in an outer room in a file cabinet located adjacent to the secretary preparing the cards.

Retention and disposal: Cards are retained for future reference.

System manager(s) and address: Attorney-in-Charge, Securities and Exchange Commission, 899 Anthony J. Celebrezze Federal Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including where practicable, the individual to whom the record pertains, incoming mail, SEC Dockets, telephone or walk-in complaints and information received from Federal, State, local or foreign regulatory or law enforcement authorities or securities self-regulatory organizations.

SEC-69

System name: Cleveland Branch Office Investigatory Files—SEC.

System location: Cleveland Branch Office, 899 Anthony J. Celebrezze Federal Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199.

Categories of individuals covered by the system: Individuals who are involved in investigations into possible violations of the Federal securities laws including issuers, brokers-dealers, investment advisers and investment companies.

Categories of records in the system: All correspondence relevant to the investigation, all internal staff memoranda and work papers, Commission minutes and Commission orders relevant to the investigation, copies of all subpoenas issued in the course of the investigation, transcripts of testimony taken in the investigation, statements and affidavits taken from investor witnesses, copies of pleadings and exhibits in related private or governmental actions, documents and records or copies thereof obtained in the course of the investigation; all other documents and records relating to the investigation.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s(b), 78u(a), 79r(a), 77uuu(a), 80a-41(a), 80b-9(a) and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

9. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

10. To aid in responding to inquiries from Members of Congress, the press and the public relating to matters under the Commission's jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are filed in file folders, investor envelopes, document envelopes and file binders.

Retrievability: The system is indexed alphabetically by name.

Safeguards: Files are kept in a locked file cabinet in a file room which is not open to the public.

Retention and disposal: Investigatory files are kept in the Cleveland Branch Office as long as space permits, after which time those which are no longer needed are forwarded to the home office in Washington, D.C.

System manager(s) and address: Attorney-in-Charge, Securities and Exchange Commission, 899 Anthony J. Celebrezze Federal Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals including where practicable those to whom the information relates, witnesses, banks, corporations, partnerships, or other entities during the course of an inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, State Securities Commissions, State Securities Divisions, or other foreign, Federal, State or local bodies and law enforcement agencies; information obtained from public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State, or local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC-70

System name: Cleveland Branch Office Investment Adviser Files—SEC.

System location: Cleveland Branch Office, 899 Anthony J. Celebrezze Federal Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199.

Categories of individuals covered by the system: (1) Investment advisers registered with the Commission pursuant to the Investment Advisers Act of 1940 and persons associated with such investment advisers who are located in Ohio and assigned to the Cleveland Branch Office for inspection by the Chicago Regional Office and (2) investment advisers against whom complaints have been filed or of whom inquiries have been made.

Categories of records in the system: Formal filings, applications and general correspondence relating to registered investment advisers in the geographical area covered by this office, letters of complaint or inquiry concerning the investment adviser, inner-office memoranda and work papers in connection with a complaint or inquiry as against an investment adviser and investment adviser inspection reports prepared by Cleveland Branch Office staff.

Authority for maintenance of the system: Title 15, United States Code, Section 80b-1 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To aid in processing documents to be filed with the Commission by registered investment advisers.

2. To aid in responding to inquiries from Members of Congress, the press or the public relating to investment advisers.

3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules or practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are filed in locked file cabinets located in rooms not open to the public. The complaint files are located in a file cabinet in the outer office that is locked and accessible to the secretary processing such complaints.

Retrievability: The system is indexed by name alphabetically.

Safeguards: File cabinets containing these files are located in non-public rooms and locked.

Retention and disposal: Open complaint files, when closed, are placed in the appropriate investment adviser file; investment adviser files forwarded to the Cleveland Branch Office for inspection are returned to the Chicago Regional Office after inspection; investment adviser files containing complaints and inquiries are retained until investment adviser ceases doing business, after which time they are forwarded to the Commission's headquarters office in Washington, D.C.

System manager(s) and address: Attorney-in-Charge, Securities and Exchange Commission, 899 Anthony J. Celebrezze Federal Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Documents required to be filed with the Commission by registered investment advisers; information received from public, securities self-regulatory organizations and other Federal or State and local regulatory or law enforcement authorities.

SEC-72

System name: Denver Regional Office Regulation A Control Cards—SEC.

System location: Denver Regional Office, 640 Two Park Central, 1515 Arapahoe Street, Denver, Colorado 80202.

Categories of individuals covered by the system: Individuals who have relationships with issuers of securities pursuant to Regulation A under the Securities Act of 1933 and persons who have been connected with such securities offerings filed with the region covered by the Denver Regional Office.

Categories of records in the system: The record discloses the individual's relationship to the issuer of the securities and to the security offering and includes personal information concerning the individual including name, address, date of birth, relationship to the issuer or the offering, where appropriate.

Authority for maintenance of the system: Title 15, United States Code, Section 77c(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To process filings made pursuant to Regulation A under the Securities Act of 1933.

2. To respond to inquiries from Members of Congress, the press and the public concerning offerings under Regulation A.

3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).

7. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the Federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on 5x8 inch index cards.

Retrievability: The records are indexed by number and name of the issuer of securities, although through the cross-reference index file system and the Name-Relationship Index system in the home office all files which contain information about an individual named in these files who is connected with an issuer of securities can be retrieved.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Records are maintained in a building that has a 24-hour security guard.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 640 Two Park Central, 1515 Arapahoe Street, Denver, Colorado 80202.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Data is obtained from documents filed with the Commission by registrants, correspondence from individuals and other Commission files.

SEC-73

System name: Denver Regional Office and Salt Lake Branch Office Cross Reference Index Cards—SEC.

System location: Denver Regional Office, 640 Two Park Central, 1515 Arapahoe Street, Denver, Colorado 80202; Salt Lake Branch Office, Federal Reserve Bank Bldg., 3rd Flr., 120 South State Street, Salt Lake City, Utah 84111. At the Salt Lake Branch Office, the card index does not contain all of the entries that are in the system which is located in Denver.

Categories of individuals covered by the system: Records are maintained on individuals included in the index who are named in filings made with the Denver Regional Office under Regulations A and F, and Rule 240 under the Securities Act of 1933, broker-dealer registration statements, investment adviser registration statements, individuals who are subjects of investigations and who are connected with subjects of investigations, defendants in litigation files, respondents in administrative proceeding files, informants, investors and witnesses.

Categories of records in the system: The index contains the name of the individual and includes only a cross-reference to other files.

Authority for maintenance of the system: Title 15, United States Code, Section 78d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel to retrieve other files that contain information about the individual and to aid in processing filings made with the Commission.

2. To aid in responding to requests from Members of Congress, the press and the public for information concerning matters under the Commission's jurisdiction.

3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program, statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

7. In connection with proceedings by the Commission pusuant to rule 2(e) of its rules of practice, 17 CFR 201.2(e).

8. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the Federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept on 3 x 5 inch paper index cards.

Retrievability: System is indexed by name.

Safeguards: Access to system is limited to authorized personnel. Records are maintained in a building that has a 24-hour security guard.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: 1. For materials maintained in the Denver Office: Administrator, Securities and Exchange Commission, 640 Two Park Central, 1515 Arapahoe Street, Denver, Colorado 80202. 2. For materials maintained in the Salt Lake City Office: Attorney-in-Charge, Securities and Exchange Commission, Federal Reserve Bank Building, 3rd Floor, 120 South State Street, Salt Lake City, Utah 84111.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Files described under "Category of Individual."

SEC-75

System name: Detroit Branch Office Index Cards—SEC.

System location: Detroit Branch Office, 1044 Federal Building, 231 W. Lafayette, Detroit, Michigan 48226.

Categories of individuals covered by the system: Case index cards which contain the names of individuals against whom a case has been opened, or who are subjects of an investigation or inquiry not yet formally opened, cross-referenced to the proper case files.

Categories of records in the system: See description of Category of Individual, above.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s(b), 78u(a), 79r(a), 77uuu(a), 80a-41(a), 80b-9(a) and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

4. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

5. In connection with proceedings by the Commission pursuant to Rule 2(c) of its rules of practice, 17 CFR 201.2(c).

6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of any employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

10. To respond to inquiries from Members of Congress, the press and the public for information on matters within the Commission's jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the Federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information on these cards is typewritten on 3 x 5 inch cards and stored in small file boxes in the Detroit Branch Office file room, which is not open to the public.

Retrievability: All cards are indexed alphabetically.

Safeguards: File boxes containing index cards are located in a file room not open to the general public.

Retention and disposal: Cards are retained for future reference and are not disposed of.

System manager(s) and address: Attorney-in-Charge, Detroit Branch Office, 1044 Federal Building, 231 W. Lafayette, Detroit, Michigan 48226.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, incoming mail, SEC dockets and records, telephone or walk-in complaints, and other regulatory agencies.

SEC-77

System name: Detroit Branch Office Investment Adviser Files—SEC.

System location: Detroit Branch Office, 1044 Federal Building, 231 W. Lafayette, Detroit, Michigan 48226.

Categories of individuals covered by the system: (1) Investment Advisers registered with the Commission pursuant to the Investment Advisers Act of 1940 located in Michigan and assigned to the Detroit Branch Office for inspection by the Chicago Regional Office and persons associated with such investment advisers and (2) investment advisers against whom complaints have been filed or of whom inquiries have been made.

Categories of records in the system: Formal filings, applications and general correspondence relating to registered investment advisers in the geographical area covered by this office, letters of complaint or inquiry concerning the investment adviser, intra-office memoranda and work papers in connection with a complaint or inquiry as against an investment adviser and investment adviser inspection reports prepared by Detroit Branch Office staff.

Authority for maintenance of the system: Title 15, United States Code, Sections 80b-1 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To aid in processing documents to be filed with the Commission by registered investment advisers.
2. To aid in responding to inquiries from Members of Congress, the press or the public relating to investment advisers.
3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the Federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are filed in lockable file cabinets located in rooms not available to the public.

Retrievability: The system is indexed by name alphabetically.

Safeguards: File cabinets containing these files are located in non-public rooms.

Retention and disposal: Complaint files, when closed, are placed in the appropriate investment adviser file; investment adviser files forwarded to the Detroit Branch Office for inspection are returned to the Chicago Regional Office after inspection; investment adviser files containing complaints and inquiries are constantly retained until investment adviser ceases doing business, after which time they are forwarded to the Commission's headquarters office in Washington, D.C.

System manager(s) and address: Attorney-in-Charge, 1044 Federal Building, 231 W. Lafayette, Detroit, Michigan 43226.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Documents required to be filed with the Commission by registered investment advisers; information received from public, securities self-regulatory organizations and other Federal or State and local regulatory or law enforcement authorities.

SEC-78

System name: Forth Worth Regional Office and Houston Branch Office General Indices—SEC.

System location: Forth Worth Regional Office, 503 U.S. Court House, 10th and Lamar Streets, Forth Worth, Texas 76102; Houston Branch Office, Federal Office and Courts Bldg., 515 Rusk Avenue, Room 5615, Houston, Texas 77002.

Categories of individuals covered by the system: Individuals involved in investigations and enforcement actions taken by the SEC and other law enforcement authorities and individuals who are affiliated with issuers filing notifications pursuant to Regulation A under the Securities Act of 1933.

Categories of records in the system: The indices show the relationship between an individual and investigations and law enforcement actions and filings pursuant to Regulation A.

Authority for maintenance of the system: Title 15, United States Code, Section 78d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By the SEC staff to correlate information concerning an individual and, where appropriate, to recommend a formal investigation involving the individual.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

5. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

7. In connection with proceedings by the Commission pursuant to Rule 2(c) of its Rules of Practice, 17 CFR 201.2(e).

8. A record from this system of records may be disclosed as a "Routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions of manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

11. To aid in responding to requests from Members of Congress, the press and the public concerning matters under the Commission's jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the Federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcment agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in paper form in file folders and binders.

Retrievability: System is indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Records are safeguarded by a 24-hour security guard at the building's entrance.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: 1. For information maintained in the Fort Worth Regional Office: Regional Administrator, Securities and Exchange Commission, 503 United States Courthouse, 10th and Lamar Streets, Fort Worth, Texas 76102. 2. For information maintained in the Houston Branch Office: Assistant Regional Administrator, Securities and Exchange Commission, Federal Office and Courts Building, 515 Rusk Avenue, Room 5615, Houston, Texas 77002.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including where practicable those to whom the records relate, by witnesses, banks, corporations, or other entities gathered during the course of an inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, State Securities Commissions, or other foreign, Federal, State, or local bodies and law enforcement agencies; information obtained from public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC-81

System name: Los Angeles Regional Office Broker-Dealer Files—SEC.

System location: Los Angeles Regional Office, 10960 Wilshire Blvd., Suite 1710, Los Angeles, California 90024.

Categories of individuals covered by the system: Broker-dealers registered with the Commission pursuant to the Securities Exchange Act of 1934 and persons associated with such broker-dealers.

Categories of records in the system: Formal filings, applications and general correspondence relating to registered broker-dealers in the region covered by this Office.

Authority for maintenance of the system: Title 15, United States Code, Sections 78a et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To aid in processing documents to be filed with the Commission by registered broker-dealers.

2. To aid in responding to inquiries from Members of Congress, the press or the public relating to broker-dealers.

3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged wih the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the satute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedon of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)), or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record of information in this system maybe disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contain in this system may be disclosed to members of advisory committees that are created by the Commision or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in file folders, binders and on index cards.

Retrievability: By name of the broker-dealer.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Correspondence is retained while the broker-dealer is registered with the Commission. If the broker-dealer withdraws its registration or goes out of business, the files are normally sent within one year to the Federal Records Center in Washington, D.C.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 10960 Wilshire Blvd., Suite 1710, Los Angeles, California 90024.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Documents required to be filed with the Commission by registered broker-dealers; information received from public, securities self-regulatory organizations and other Federal or State and local regulatory or law enforcement authorities.

SEC-83

System name: Los Angeles Regional Office Investment Adviser Files—SEC.

System location: Los Angeles Regional Office, 10960 Wilshire Blvd., Suite 1710, Los Angeles, California 90024.

Categories of individuals covered by the system: Investment advisers registered with the Commission pursuant to the Investment Advisers Act of 1940 and persons associated with such investment advisers.

Categories of records in the system: Formal filings, applications and general correspondence in the region covered by this Office relating to registered investment advisers.

Authority for maintenance of the system: Title 15, United States Code, Section 80b-1 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These documents and the information contained in these records may be used for the following:

1. To aid in processing documents to be filed with the Commission by registered investment advisers.

2. To aid in responding to inquiries from Members of Congress, the press or the public relating to investment advisers.

3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assist in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders, binders and on index cards.

Retrievability: By name of investment adviser.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Retained while the investment adviser is registered with the Commission. If the investment adviser ceases to be registered the file is generally sent to Washington, D.C., after one year for storage in the Federal Records Center.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 10960 Wilshire Blvd., Suite 1710, Los Angeles, California 90024.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Documents required to be filed with the Commission by registered investment adviser; information received from public, securities self-regulatory organizations and other Federal or State and local regulatory or law enforcement authorities.

SEC-84

System name: Miami Branch Office General Index of Files—SEC.

System location: Miami Branch Office, Suite 701, 300 Biscayne Boulevard Way, Miami, Florida 33131.

Categories of individuals covered by the system: Individuals on whom records are maintained in this system are generally from within the region covered by this Office and are from one or more of the following categories:

Actual and prospective purchasers and sellers of securities; registered investment advisers, and associated persons who have been named in any notice, application, questionnaire, report or other document submitted to the Commission or its staff pursuant to the Federal securities or bankruptcy laws; persons who were or are actual or prospective subjects of investigation in connection with possible violations of Federal securities laws; defendants, respondents or other parties in administrative, civil and criminal proceedings involving the application of Federal securities laws; persons who have communicated with the SEC or its staff concerning any person within one or more of the foregoing categories.

Categories of records in the system: This system contains information about individuals of a type which the branch office considers reasonably necessary to carry out its enforcement and regulatory duties. In addition to an individual's name, documents in the system may reflect detailed information about him concerning one or more of the following matters: His background (including, but not limited to, address, education, occupation, financial condition, and family relationships); qualifications to engage in one or more activities regulated by the SEC; business relationships; business activities, including specific transactions; possible involvement in conduct violative (in whole, or in part) of Federal, State, or foreign laws and rules pertaining to securities and/or prohibiting any fraudulent conduct; prior violations of any Federal, State or foreign laws or rules, or the rules of any self-regulatory entity.

Authority for maintenance of the system: Title 15, United States Code, Section 78d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By the SEC staff to prepare, collect and preserve all documentary materials related:

(a) Formal investigations and matters under preliminary investigation, except related material preserved in employee work files;

(b) The regulation of specific entities by the Commission, including, but not limited to, copies of communications with or concerning issuers, underwriters, promoters, broker-dealers, investment advisers, and documents filed with the regional office by or on behalf of such entities; except related material in employee work files;

(c) Communications with the public concerning aspects of the Commission's enforcement or regulatory duties;

(d) Administrative, civil and criminal proceedings in which the Commission has any interest in the performance of its statutory duties, except Commission litigation releases, securities violations bulletins, and related material in employee works files.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

5. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

6. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)), or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in paper form in file folders and binders.

Retrievability: Records are indexed by individual name, entity name, file and/or release number.

Safeguards: Records are kept in area available only to agency personnel and building staff. Only authorized personal have access to the records. The building in which the records are maintained has a 24-hour security staff and program.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Associate Regional Administrator, Securities and Exchange Commission, Dupont Plaza Center, 300 Biscayne Boulevard Way, Suite 701, Miami, Florida 33131.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Federal, local and foreign regulatory and law enforcement agencies, securities self-regulatory organizations; securities broker-dealers, investment advisers, investment companies, securities issuers, various publicly owned businesses and their employees; filings with the SEC required of organizations and individuals; courts, and a variety of individuals, including where practicable individuals who are under investigation.

SEC-86

System name: New York Regional Office Index of Complaints—SEC.

System location. New York Regional Office, 26 Federal Plaza, New York, New York 10007.

Categories of individuals covered by the system: Records are maintained on registered broker-dealers and persons associated with such broker-dealers.

Categories of records in the system: Complaint received against broker-dealers or their associated persons. Includes the name and address of complainant, date of complaint, issue or issuer involved, the name of the broker-dealer involved and a record of correspondence in the matter and the disposition date.

Authority for maintenance of the system: Complaints are voluntary.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To aid in processing complaints against broker-dealers and associated persons.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

5. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

6. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses. If necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

7. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or adminstrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)), or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders and binders.

Retrievability: Records are indexed by name of the individual.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Office area is locked after duty hours and the building has a 24-hour security guard.

Retention and disposal: Records are destroyed after three years.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 26 Federal Plaza, New York, New York 10007.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Letters of complaints and in-person complaints made by the public.

SEC-88

System name: New York Regional Office Master Card Index—SEC.

System location: New York Regional Office, 26 Federal Plaza, New York, New York 10007.

Categories of individuals covered by the system: Records are maintained on registered broker-dealers and investment advisers, and defendants, respondents and witnesses in enforcement actions; also include information on persons writing to the Office for information or to register complaints or for other purposes.

Categories of records in the system: Records include a summary of correspondence, the attorney and investigator assignment, the opening and closing dates of the investigation, if any, information concerning the appearance of witnesses in a matter and the Securities Violation Bulletin reference number, if any.

Authority for maintenance of the system: Title 15, United States Code, Section 78d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel to research correspondence, complaints and complainants, to record the assignment of attorneys and investigators to the matter, and to determine the status of a matter.

2. To record the names of witnesses and/or defendants or respondents in investigations or cases (whether civil, criminal or administrative) and to locate information about securities law violators.

3. To aid in responding to inquiries by Members of Congress, the press and the public concerning matters under the jurisdiction of the Commission.

4. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

5. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign, or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

6. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

7. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

8. A record from this system or records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g)), of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in ths system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed fo members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation of conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on index cards in filing drawers.

Retrievability: Records are indexed by the name and/or number if appropriate. Cross-reference to information on any individual may be obtained through the Commission's Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosures. File room is locked after duty hours and the building has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 26 Federal Plaza, New York, New York 10007.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Letters and other correspondence to the New York Regional Office from the public, internal memoranda, transcripts of testimony and other personnel, investigative work product, and Securities Violation Bulletin, information received from individuals including where practicable those to whom the information relates and information received from other Federal and State or local regulatory or law enforcement authorities.

SEC-89

System name: New York Regional Office Regulation A Work File—SEC.

System location: New York Regional Office, 26 Federal Plaza, New York, New York 10007.

Categories of individuals covered by the system: Records are maintained on officers, directors and certain shareholders of issuers or firms filing notifications under Regulation A pursuant to the Securities Act of 1933.

Categories of records in the system: These records include the notification filed under Regulation A (including information as to the issuer, affiliates and principal security holders, officers, directors and promoters, counsel and underwriter); offering circular, certificate of incorporation, by-laws, underwriting agreements or other selling agreements, consent agreements, escrow agreements, amendments to offering circular, amendments to agreements, reports of sales, withdrawn material, correspondence with issuer, its representatives, counsel, and others with regard to deficiencies, requests for other information and/or disclosures, internal memoranda, conference notes and staff processing notations.

Authority for maintenance of the system: Title 15, United States Code, Section 77c(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To process applications for exemption under Regulation A and other filings in connection therewith.
2. To aid in responding to inquiries by Members of Congress, the press and the public relating to filings under Regulation A.
3. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in reponse to is request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
9. In connection with proceedings by the Commission pursuant to rule 2(e) of its rules of practice, 17 CFR 201.2(e).
10. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.
11. As a date source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters apeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any peson who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated function.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders and binders.

Retrievability: Information regarding individuals may be retrieved through the Name-Relationship Index system or through cross-index cards.

Safeguards: Access to and use of these records are limited to those pesons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. File cabinets are locked after duty hours and the building has a 24-hour security guard.

Retention and disposal: Records are destroyed about two years after withdrawal or completion of offering.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 26 Federal Plaza, New York, New York 10007.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: All material filed by the issuer in connection with the offering of exempt securities, correspondence with the issuer, his representatives and other persons affiliated with the issue, and internal staff memoranda relating to the offering.

SEC-91

System name: St. Louis Branch Office, Inquiry, Complaint and General Reference Files—SEC.

System location: St. Louis Branch Office, Securities and Exchange Commission, 210 North Twelfth Street, St. Louis, Missouri 63101.

Categories of individuals covered by the system: Individuals who request information from or provide information to this office; individuals complaining about other entities or individuals registered with, or otherwise required to comply with the provisions of the Federal securities laws; individuals who have been the subject of an enforcement proceeding by the Commission, other Federal, foreign, State or local governmental authorities or securities self-regulatory organizations.

Categories of records in the system: Correspondence relevant to the inquiry or complaint along with summary notations of same; diary logs and memoranda of telephone calls and personal contacts; index cards and copies of releases in the "SEC Docket"; business cards, releases, media reports, bulletins, correspondence, complaints charge memoranda, orders and court pleadings in connections with litigation or disciplinary proceedings brought by individuals, Federal, foreign, State and local governmental authorities or securities self-regulatory organizations.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s(b), 77t (a) and (b), 77uuu(a), 78(a), 79r(a), 80a-41(a), 80b-9(a) and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. For transmission in copy, paraphrase or summary form to the subject of the complaint or inquiry to expedite resolution of the individual's complaint or inquiry.

3. To aid in responding to inquiries from other SEC offices, SIPC, Members of Congress, the public, the media, Federal, foreign, State and local governmental authorities and securities self-regulatory organizations.

4. Where there is an indication of a violation or potential violation of law, whether civil, cirminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

6. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

7. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

8. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

9. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

11. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the persons to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commissions or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal Securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in file folders and envelopes, binders and on file cards.

Retrievability: The records are retrieved by the name under which the case is filed or the investigation is made; routine complaints and inquiries generally are filed under the name of the person who is the subject of the inquiry or if that is inappropriate, under the name of the individual initiating the inquiry. Access to information about an individual may be through the SEC Name-Relationship Index System.

Safeguards: Personnel screening and adherence to the Commission's regulations relating to non-disclosure of confidential information are employed to prevent unauthorized disclosure.

Retention and disposal: Indexes of public information are maintained on a permanent basis along with the underlying releases; files on cases and investigations and those relating to persons registered with or otherwise subject to the Federal securities laws are maintained on a permanent basis; miscellaneous routine files are discarded after approximately six years.

System manager(s) and address: Attorney-in-Charge, St. Louis Branch Office, Securities and Exchange Commission, 210 North Twelfth Street, St. Louis, Missouri 63101.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Letters from individuals, filings made with the Commission, enforcement actions involving the Commission, internal staff investigations, interviews with individuals including where practicable, the individuals as to whom the records relate, public documents filed in courts or published elsewhere and from other Federal and State, local or foreign regulatory or law enforcement authorities or securities self-regulatory authorities.

SEC-92

System name: Saint Louis Branch Office Investigative Files—SEC.

System location: Saint Louis Branch Office, Securities and Exchange Commission, 210 North Twelfth Street, St. Louis, Missouri 63101.

Categories of individuals covered by the system: Individuals who are involved in investigations into possible violations of the Federal securities laws, including broker-dealers, investment advisers and investment companies.

Categories of records in the system: All correspondence relevant to the investigation, all internal staff memoranda, Commission minutes and Commission orders relevant to the investigation, copies of all subpoenas issued in the course of the investigation, transcripts of testimony taken in the investigation, copeis of pleadings and exhibits in related private or governmental actions, documents and records or copies thereof obtained in the course of the investigation, working papers of the staff and all other documents and records relating to the investigation, opening reports, progress reports and closing reports; and formal filings, applications and correspondence relating to broker-dealers, investment advisers and investment companies, while they are the subject of inspections or investigations.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s(b), 77u (a) and (b), 78u(a), 78uuu(a), 80a-41(a) and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
3. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.
5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules and practice, 17 CFR 201.2(e).

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

9. When considered appropriate, records in this system may be referred to a bar association of similar Federal, State, or local licensing authority for possible disciplinary action.

10. To aid in responding to inquiries from Members of Congress, SIPC, the media and the public relating to matters under the Commission's jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchangs and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or low enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and it staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in file folders and envelopes, binders and file cards.

Retrievability: The records are retrieved by the name under which the case is filed or the investigation is made. Access to information about an individual may be through the SEC Name-Relationship Index system.

Safeguards: Access to an use of these records are limited to those persons whose official duties require such access. Personnel screening and adherence to the Commission's regulations relating to non-disclosure of confidential information are employed to prevent unauthorized disclosure.

Retention and disposal: Files relating to open investigations are maintained in the "active" files, matters which are closed or not currently active for whatever reason are maintained in the "inactive" storage area. Documents or files loaned by individuals, other Commission offices, or from whatever source are returned to the lender after the purpose for which they were borrowed has been accomplished. Documents and files introducted into evidence in the course of litigation are left in the custody of the court or hearing tribunal, although file copies are retained to extent practicable.

System manager(s) and address: Attorney-in-Charge, St. Louis Branch Office, Securities and Exchange Commission, 210 North Twelfth Street, St. Louis, Missouri 63101.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including where practicable, those to whom the information relates, witnesses, banks, corporations, or other entities during course of inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, State Securities Commissions, or other foreign, Federal, State, or local bodies and law enforcement agencies; information obtained from public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC-95

System name: Los Angeles Regional Office Regulation A Files—SEC.

System location: Los Angeles Regional Office, 10960 Wilshire Blvd., Suite 1710, Los Angeles, California 90024.

Categories of individuals covered by the system: (a) Individuals who are involved in the filing of a notification for an offering of securities pursuant to Regulation A of the Securities Act of 1933, (17 CFR 230.251 et seq.), including but not limited to issuers, affiliates, underwriters, broker-dealers, corporations, officers, and directors. (b) Individuals affiliated with a Regulation A notification, who are involved in a staff review or investigation of the accuracy and adequacy of the disclosures made in such notification, including but not limited to persons enumerated in (a) above.

Categories of records in the system: All correspondence, internal staff memoranda, Commission minutes, Commission orders, transcripts of testimony taken, copies of pleadings and exhibits in related private or governmental actions, working papers of the staff and all other documents and records relevant to the notification, review, and investigation of an offering of securities pursuant to Regulation A. Copies of all subpoenas in the course of an investigation of an offering of securities pursuant to Regulation A.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s(b), 78u(a), 79r(a), 77uuu(a), 80a-41(a), 80b-9(a), and 17 CFR 202.5.

Routine uses of records maintained in the sysfem, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of reviewing and evaluating disclosures made in the notification to offer securities pursuant to Regulation A and for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

9. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

10. To aid in responding to inquiries from Members of Congress, the press and the public relating to matters under the Commission's jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)), or the Commission's rules of practice, 17 CFR 202.1 et seq or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this sytem may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system my be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are filed in file folder, investor envelopes, document envelopes and file binders.

Retrievability: The records are retrieved by the name under which the case is filed or the investigation is made. Access to information about an individual may be through the Commission's Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. During the continuation of the enforcement action the records are normally maintained by the individual assigned to review the matters.

Retention and disposal: After the case is completed, the file (except for correspondence) is sent to the headquarters office in Washington, D.C. Correspondence is kept for six years and then sent to the Federal Records Center for storage.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 10960 Wilshire Blvd., Suite 1710, Los Angeles, California 90024.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including where practicable, those to whom the information relates, witnesses, banks, corporations, or other entities during the course of an inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, State Securities Commissions, or other foreign, Federal, State, or local bodies and law enforcement agencies; information obtained from public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC-96

System name: Seattle Regional Office Master Card Index and Related Regulatory, Investigatory, and Legal Files System (MCI System)—SEC.

System location: Seattle Regional Office, 3040 Federal Building, 915 Second Avenue, Seattle, Washington 98174.

Categories of individuals covered by the system: Individuals on whom records are maintained in this system are generally from within the region covered by this office and are from one or more of the following categories:

Actual and prospective purchasers and sellers of securities; registered investment advisers, and associated persons who have been named in any notice, application, questionnaire, report, or other document submitted to the Commission or its staff pursuant to the Federal securities or bankruptcy laws; persons who were or are actual or prospective subjects of investigation in connection with possible violations of Federal securities laws; defendants, respondents or other parties in administrative, civil and criminal proceedings involving the application of Federal securities laws; persons who have communicated with the SEC or its staff concerning any person within one or more of the foregoing categories.

Categories of records in the system: This system contains information about individuals of a type which the regional office considers reasonably necessary to carry out its enforcement and regulatory duties. In addition to an individual's name, documents in the system may reflect detailed information about him concerning one or more of the following matters: His background (including, but not limited to, address, education, occupation, financial conditions, and family relationships); qualifications to engage in one or more activities regulated by the SEC; business relationships; business activities, including specific transactions; possible involvement in conduct violative (in whole, or in part) of Federal, State, or foreign laws and rules pertaining to securities and/or prohibiting any fraudulent conduct; prior violations of any Federal, State, or foreign laws or rules, or the rules of any self-regulatory entity.

Authority for maintenance of the system: Title 15, United States Code, Section 78d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By the SEC staff to prepare, collect and preserve documentary materials related to;

(a) Formal investigations and matters under preliminary investigation, except related material preserved in employee work files;

(b) The regulation of specific entities by the Commission, including, but not limited to, copies of communications with or concerning issuers, underwriters, promoters, broker-dealers, investment advisers, and documents filed with the regional office by or on behalf of such entities, except related material in employee work files;

(c) Communications with Members of Congress and the public concerning aspects of the Commission's enforcement or regulatory duties;

(d) Administrative, civil and criminal proceedings in which the Commission has any interest in the performance of its statutory duties, except Commission litigation releases securities violations bulletins, and related material in employee work files.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present member of its staff is a party or otherwise involved in an official capacity.

5. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

6. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).

7. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

8. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to any agency decision concerning the hiring or retention of any employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78b(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcment agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in paper form, in file folders and binders.

Retrievability: Records are indexed by name.

Safeguards: Records in system are maintained in filing cabinets to which only authorized regional office personnel have access. The records are maintained in a building that has a 24-hour security guard.

Retention and disposal: 1. Files for registered broker-dealers and investment advisers are retained during effective period of registration and for approximately one year thereafter, and then such files are sent to headquarters office in Washington, D.C.

2. Files for each unregistered offering of securities made pursuant to the exemptive provisions of Section 3(b) of the Securities Act of 1933 are discarded as waste paper under General Services Administration supervision approximately 12 months after such files appear to be no longer needed for regulation or enforcement purposes, except as to those portions of such files which have been sent to headquarters office in Washington, D.C.

3. Contents of investigative files no longer needed for enforcement purposes are sent to headquarters office or placed in Federal record storage center, depending upon the nature of the materials making up such files, after privately-owned materials have been removed for return to their owners.

4. Legal files are retained permanently by the regional office.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 3040 Federal Building, 915 Second Avenue, Seattle, Washington 98174.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: The information in this system is obtained from persons fitting the categories described above under "Category of Individual," including where practicable the individuals to whom the records refer, other offices of the Commission, Federal, State, local or foreign governmental agencies and officers, securities self-regulatory entities, organizations and numerous public sources such as published articles, data or other information.

SEC-98

System name: Washington Regional Office and Philadelphia Branch Office, Administrative Proceeding Files—SEC.

System location: Securities and Exchange Commission, 4015 Wilson Blvd., Arlington, Virginia 22203; Securities and Exchange Commission, 600 Arch Street, Philadelphia, Pennsylvania 19106.

Categories of individuals covered by the system: Records are maintained with respect to persons who are respondents in administrative proceedings and other persons involved in administrative proceedings including witnesses and attorneys.

Categories of records in the system: Records include orders for proceedings, answers, motions, responses, orders, offers of settlement and other pleadings, transcripts of all hearings and documents introduced as evidence therein, other relevant documents and correspondence relating to proceedings.

Authority for maintenance of the system: Title 15, United States Code, Sections 77h(e), 78o-(b) and the Commission's rules of practice.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

2. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organizations involving one or more of its members.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. A record from the system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issunace of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

5. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

9. To respond to inquiries from Members of Congress, the press and the public relating to pending or past administrative proceedings.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commision and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)) in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy.

Retrievability: Records are indexed by name of lead respondent cross-indexing to individual's name is available through the SEC Name-Relationship Index System.

Safeguards: In the case of public proceedings most of the records are available to the public. In other cases access is limited to authorized personnel who need access to perform their functions. Personnel screening is used to avoid unauthorized disclosures.

Retention and disposal: These records are retained indefinitely.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 4015 Wilson Blvd., Suite 300, Arlington, Virginia 22203; Attorney-in-Charge, Securities and Exchange Commission, William J. Green, Jr., Federal Bldg., 600 Arch Street, Philadelphia, Pennsylvania 19106.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: These records are obtained from counsel involved in the administrative proceeding, internal Commission files, and from individuals including, where practicable, the individual as to whom the record pertains.

SEC-100

System name: Automated Personnel Information System—SEC.

System location: Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Categories of individuals covered by the system: SEC employees, past and present.

Categories of records in the system: The system of records consists of summaries of information received from the following category of records: (a) Applicant files (Standard Forms 171 and resumes, attorney supplements to applications, applicant correspondence and evaluations, and summer employment files); (b) official personnel folders (Civil Service Commission files); (c) service record cards; (d) merit promotion posting files, including supervisory appraisals for jobs advertised under SEC Merit Promotion Program; (e) chronological copies of personnel actions (Standard Forms 50); (f) employee payroll number; (g) official position description; (h) supergrade submissions (correspondence with Civil Service Commission requesting new supergrade allocations or changes with respect to existing ones); and (i) annual performance rating and position classification certification.

Authority for maintenance of the system: 5 CFR Parts 213, 293, 302, and 335 and Civil Service Regulations promulgated thereunder.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1. The records will be used by the SEC staff for (a) preparation of forms relating to official personnel actions; (b) computation of personnel strength of Commission divisions and offices; (c) certification of employment for credit checks or job applications; (d) recording of personnel actions processed; (e) preparation of reports and statistics on personnel activity; (f) location of personnel having specific skills and training; and (g) monitoring personnel actions concerning the staff (i.e., date of employee's last promotion, employee's position description number, etc.).

2. Any record in this system or records may be used by the Commission in connection with any action or proceeding brought by an employee before another agency or a court of law to review personnel action taken by the Commission or the failure by the Commission to take action.

3. Any record in this system may be used in any proceeding where the Federal securities laws are an issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

4. Any record in this system of records may be disclosed as a "routine use" to a Federal, State, or local governmental authority maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

5. Any record in this system of records may be disclosed to a Federal, State, or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

6. The records in this system of records may be used as a data source for management information, to enable the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; they may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

7. Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission's staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appear to be relevant at the time to the subject matter of the inquiry.

8. Disclosure may be made to a congressional office of information contained in the records relating to an individual in response to any inquiry from the congressional office made at the request of that individual.

9. The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are computerized and maintained on magnetic disk (current and historical records) and magnetic tape (historical records and backup).

Retrievability: Information is retrieved by name, employee identification code, or social security account number, via a generalized query capability.

Safeguards: Direct access via computer terminals is restricted to certain SEC staff on a need to know basis through use of special identification codes. Access via batch capability must be recommended by Division/Office Heads and authorized by the System Manager(s). Authorization forms will be maintained by the Office of Information Systems Management. Computer disk and tape files, on which the data is stored, are available only through the librarian or chief of operations of the Office of Data Processing. Computerized backup and historical files are stored at a secured auxiliary SEC storage facility. The building where the records are maintained has a 24-hour security guard.

Retention and disposal: Computerized files on current employees will be retained during the time the employee is employed by the Commission and after separation from the Commission.

System manager(s) and address: Executive Director and Director of Personnel, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Office of Personnel, 500 North Capitol Street, Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedure for gaining access to or contesting the contents of these records may contact the office of Personnel, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. or address their inquiries to the Privacy Act Office, Securities and Exchange Commission, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records in category (a) are obtained from applicant concerned and interviewer evaluating the applicant. Records in categories (b), (d) and (e) are obtained from employee and supervisors concerned. Records in category (c) are obtained from official personnel folder of the employee concerned. Records in category (f) are assigned to the employee by the Commission and are obtained from the employee's official personnel folder. Records in category (g) are obtained from interviews by position classifiers and/or management analysis staff of the Executive Director's Office with employee and his/her supervisor(s) and administrative assistant. Records in category (h) are obtained from official personnel files, office classification files, interviews by position classifiers, and the employee concerned. Records in category (i) are obtained from annual performance rating files.

SEC-101

System name: Matter Under Inquiry (MUI)—SEC.

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also may be maintained in regional and branch offices.

Categories of individuals covered by the system: Records are established and maintained on individuals, corporations, partnerships, and other entities that may have engaged, or may be engaging, in activities that involve violations of the Federal securities laws, the rules and regulations thereunder, or the rules of self-regulatory securities organizations.

Categories of records in the system: The records are computerized and contain index information that relates the name of the individual or entity to the subject of a preliminary inquiry by the enforcement staff. The records include MUI number; SEC staff person responsible; SEC office; date entered; state(s) of residence(s) or location(s) of principal executive office of person under inquiry; regions affected by suspected activity; primary trading market(s) involved; type(s) of security involved; possible violation(s); and disposition of the MUI.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s, 77t; 78u, 78w; 79r, 79t; 77sss, 77uuu; 80a-37, 80a-41; 80b-9, 80b-11.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By authorized SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. To conduct name searches upon the request of authorized individuals in other governmental agencies (Federal, State, local or foreign) or securities self-regulatory organizations for purposes of carrying out their designated functions.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or self-regulatory, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

5. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a self-regulatory organization involving one or more of its members.

6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. In connection with proceedings by the Commission pursuant to Rule 2(e) of its rules of practice, 17 CFR 201.2(e).

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

11. By the Commission to prepare and publish information concerning violations of the Federal securities laws as authorized by 15 U.S.C. 78u(a), as amended.

12. In connection with regulatory and enforcement responsibilities mandated by the Federal securities laws or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory authorities, or law enforcement agencies of a foreign government.

13. Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's rules of practice.

14. Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

15. A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

16. Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

17. Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

18. Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's rules of conduct, 17 CFR 200.735-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws, in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

19. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on magnetic tapes and disks.

Retrievability: The system is indexed by MUI number or the name of the matter although information regarding an individual can be obtained through use of the Commission's Name-Relationship Index system using the name of the individual as the index.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Direct data access via on-line terminals is limited to certain authorized personnel through use of special identification codes and other automatic access restrictions.

Personnel screening is employed to prevent unauthorized disclosure. Physical security is primarily obtained by limitation of access to the building in which the records are maintained.

Retention and disposal: The information in the system is transmitted to data entry personnel via a form designed for that purpose. The form is destroyed upon data entry and verification. Information regarding any specific matter under inquiry, once in the system, will be reclassified for more formal action or closed within one year of entry. Within two years from date of entry, the information will be completely purged from the system. A computer generated form will be developed to obtain the disposition of the matter under inquiry for use in reclassifying the MUI. This form, which will contain sufficient information to enable the staff to distinguish among the several MUI's they may have pursued, will be destroyed upon entry and verification of the dispositions into the system.

System manager(s) and address: Director, Office of Information Systems Management, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Section, Room 6101 at 1100 L Street NW., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Privacy Act Officer, Securities and Exchange Commission, Washington, D.C. 20549.

Contesting record procedures: See Record Access Procedures above.

Record source categories: Information for these records is obtained from the Commission's files, newspaper articles, court papers, securities brokerage firms, corporations, banks, public utilities, credit organizations, individuals, and Federal, State, local and foreign law enforcement and securities self-regulatory organizations.

SEC–102

System name:

Enforcement Files.

System location:

Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Files may be maintained in Commission offices which conducted an investigation or litigation. Closed investigatory and litigation files are stored at a federal records center.

Categories of individuals covered by the system:

Records are maintained on persons who have been involved in Commission investigations or litigation, or in activities which violated or may have violated federal, state or foreign laws relating to transactions in securities, the conduct of securities business or investment advisory activities, and banking or other financial activities.

Categories of records in the system:

Correspondence relevant to the matter, internal staff memoranda, Commission Minutes and Commission Orders, copies of subpoenas issued in the course of the matter, affidavits, transcripts of testimony and exhibits thereto, copies of pleadings and exhibits in related private or governmental actions, documents and other evidence obtained in the course of the matter, computerized records, working papers of the staff and other documents and records relating to the matter, opening reports, progress reports and closing reports, and miscellaneous records relating to investigations or litigation.

Authority for maintenance of the system:

Title 15, United States Code, Sections 77s, 77t, 78u, 79r, 77uuu, 80a-41, 80b-9, and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. To coordinate law enforcement activities between the SEC and other federal, state, local or foreign law enforcement agencies, securities self-regulatory organizations, and foreign securities authorities.

2. By SEC personnel for purposes of investigating possible violations of, or to conduct investigations authorized by, the federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulations, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether federal, state, or local, a foreign governmental authority or foreign securities authority, or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

4. In any proceeding where the federal securities laws are in issue or in which the Commission, or past or present members of its staff, is a party or otherwise involved in an official capacity.

5. To a federal, state, local or foreign governmental authority or foreign securities authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

6. To a federal, state, local or foreign governmental authority or foreign securities authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and nedessary to the requesting agency's decision on the matter.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

8. When considered appropriate, records in this system may be disclosed to a bar association, the American Institute of Certified Public Accountants, a state accountancy board or other federal, state, local or foreign licensing or oversight authority, foreign securities authority, or professional association or self-regulatory authority performing similar functions, for possible disciplinary or other actions.

9. In connection with investigations or disciplinary proceedings by a state securities regulatory authority, a foreign securities authority, or by a self-regulatory organization involving one or more of its members.

10. As a date source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies, and to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

11. In connection with their regulatory and enforcement responsibilities mandated by the federal securities laws (as defined in Section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records may be disclosed to national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, regulatory law enforcement agencies of a foreign government, or foreign securities authorities.

12. To any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the federal securities laws (as defined in Section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)) or the Commission's Rules of Practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or

proceeding or in connection with the administration and enforcement by the Commission of the federal securities laws or the Commission's rules of practice.

13. To any person during the course of any inquiry or investigation conducted by the Commission's staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

14. To any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

15. Inclusion in reports published by the Commission pursuant to authority granted in the federal securities laws (as defined in Section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

16. To members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official designated functions.

17. To any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 200.785-1 et seq., and who assists in the investigation by the Commission of possible violations of federal securities law (as defined in Section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the federal securities laws.

18. Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

19. To respond to inquiries from Members of Congress, the press and the public which relate to specific matters that the Commission has investigated and to matters under the Commission's jurisdiction.

20. To prepare and publish information relating to violations of the federal securities laws as provided in 15 U.S.C. 78u(a), as amended.

21. To respond to subpoenas in any litigation or other proceeding.

22. To a trustee in bankruptcy.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper records, microform, electronic and other media.

Retrievability:

The records are retrieved by the name under which the investigation is conducted or administrative or judicial litigation is filed. Access to information about an individual may be obtained through the Commission's Name-Relationship Indes system by the name of the individual. Information concerning an individual may also be obtained by reference to card or computer-maintained indices.

Safeguards:

Access to and use of investigatory records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Files are maintained in buildings having a 24-hour security guard. During the course of a matter, relevant records are normally maintained by the individuals working on the matter. Information contained in indices is safeguarded by use of confidential access passwords, physical restrictions and/or other means. Most of the information contained in litigation files is public insofar as the documents were filed in public administrative were filed in public administrative proceedings or litigation (unless otherwise ordered).

Retention and disposal:

Records are retained in the Commission's files while in use. Records of investigations are generally maintained until the case has been closed, at which time materials are destroyed, returned to owners, or transfered to the Federal Records Center for storage, as appropriate. Records sent to the Federal Records Center are retained in accordance with Commission guidelines.

System manager(s) and address:

Director, Division of Enforcement, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549; Records Officer, 450 Fifth Street, NW., Washington, DC 20549; Regional Administrator, Atlanta Regional Office, 1375 Peachtree Street, Suite 788, NE., Atlanta, GA 30367; Associate Regional Administration, Miami Branch Office, Dupont Plaza Center, 300 Biscayne Blvd. Way, Suite 500, Miami, FL 33131; Regional Administrator, Boston Regional Office, John W. McCormack Post Office and Courthouse Building, 90 Devonshire Street, Boston, Suite 700, MA 02109; Regional Administratorm, Chicago Regional Office, Room 1204, Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, IL 60604; Regional Administrator, Denver Regional Office, 410 Seventeenth Street, Suite 700, Denver, CO 80202; Assistant Regional Administrator, Salt Lake Branch Office, U.S. Post Office and Court House, 350 S. Main Street, Room 505, Salt Lake City, UT 84101; Regional Administrator, Fort Worth Regional Office, 8th Floor, 411 West Seventh Street, Fort Worth, TX 76102; Assistant Regional Administrator, Houston Branch Office, Suite 550, 7500 San Felipe Street, Houston, TX 77063; Regional Administrator, Los Angeles Regional Office, 5757 Wilshire Boulevard, Suite 500 East, Los Angeles, CA 90036-3648; Associate Regional Administrator, San Francisco Branch Office, 901 Market Street, Suite 470, San Francisco, CA 94103; Regional Administrator, New York Regional Office, 26 Federal Plaza, Room 1028, New York, NY 10278; Regional Administrator, Philadelphia Regional Office, Federal Building, Room 2204, 600 Arch Street, Philadelphia, PA 19106; Regional Administrator, Seattle Regional Office, 3040 Jackson Federal Building, 915 Second Avenue, Seattle, WA 98174.

Notification procedure:

Any request to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Branch at 450 Fifth Street, NW, Washington, DC, or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, Washington, DC 20549.

Record access procedures:

See Notification Procedures above.

Contesting record procedures:

Individuas desiring to contest or amend information maintained in this system of records should direct their requests to the Privacy Act Officer.

Record source categories:

Information in these records is supplied by: Individuals including, where practicable, those to whom the information relates; witnesses, banks, corporations, or other entities; self-regulatory organizations; the Postal Inspection Service, the Department of Justice, state securities commissions, other Federal, state, or local bodies and law enforcement agencies or foreign governmental authorities; public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, state, and local bodies; filings made with the SEC pursuant to law; electronic information sources; other offices within the Commission; documents, litigation, transcripts of testimony, evidence introduced into court, orders entered by a court and correspondence relating to litigation; pleadings in administrative proceedings, transcripts of testimony, documents, including evidence entered in such proceedings, and miscellaneous other sources.

Appendix A

(1) Registration Statements Filed Pursuant to Provisions of the Securities Act of 1933, Securities Exchange Act of 1934, Public Utility Holding Company Act of 1935, and Investment Company Act of 1940.

(2) Applications for Registration/Exemption under the Securities Exchange Act of 1934, Investment Advisers Act of 1940, and Investment Company Act of 1940.

(3) Notification of Exemption from Registration under the Securities Act of 1933.

(4)Beneficial Ownership, Acquisition, Tender Offer, and Solicitation Records Filed under the Securities Act of 1933.

(5) Ownership Reports and Insider Trading Transaction Records Filed under the Securities Exchange Act of 1934, Public Utility Holding Company Act of 1935, and Investment Company Act of 1940.

(6) Periodic Reports Filed under the Securities Act of 1933. Securities Exchange Act of 1934, Public Utility Holding Company Act of 1935, and Investment Company Act of 1940 and Investment Advisers Act of 1940.

(7) Proposed Sale of Securities Records Filed under the Securities Act of 1933.

(8) Proxy Soliciting Material Filed under the Securities Exchange Act of 1934, Public Utility Holding Company Act of 1935, and Investment Company Act of 1940.

(9) Administrative Audit System.

(10) Administrative Law Judge Assignments and Dispositions of Administrative Proceedings.

(11) Administrative and Litigation Release System.

(12) Administrative Proceedings.

(13) Administrative Proceedings Record Cards.

(14) Applications for Relief From Disqualification Filed Under the Securities Act of 1933 and the Commission's Rules of Practice.
(15) Comments on Commission and Securities Self-Regulatory Organization Rules Changes.
(16) Compliant Processing System.
(17) Correspondence Files Pertaining to Registered Broker-Dealers.
(18) Correspondence Files Pertaining to Registered Investment Advisers.
(19) Correspondence Files Pertaining to Registered Investment Companies.
(20) Defendant Index.
(21) Division of Corporate Regulation Bankruptcy Act Records.
(22) Division of Corporation Finance Branch Working Files.
(23) Division of Corporation Finance Index for Filings on Schedule 13D and Filings under Regulations A and B.
(24) Division of Enforcement Investigative Working Files.
(25) Division of Enforcement Liaison Working Files.
(26) Division of Enforcement Preliminary Market Surveillance Inquiries.
(27) Division of Investment Management Correspondence and Memoranda Files.
(28) Employee Photograph File.
(29) Employee Photograph File.
(30) Equal Employment Opportunity Complaints.
(31) Executive/Congressional Personnel Referrals.
(32) Freedom of Information Act Requests.
(33) General Correspondence Files.
(34) Hearings, Proceedings and Studies.
(35) Investigations and Action Index System.
(36) Investigatory Files.
(37) Investor Service Complaint Index.
(38) Litigation Files (Civil and Criminal).
(39) Mailing Address Labels (MAL).
(40) Staff Time and Activity Tracking System (STATS).
(41) Minutes Regarding Action Taken by the Commission.
(42) Name-Relationship Index System (MRS).
(43) No-action and Interpretative Letters.
(44) Office of the Chief Accountant Working Files.
(45) Office of General Counsel Work Files.
(46) Office of Opinions and Review Working Files.
(47) Office of Personnel Code of Conduct and Employee Performance Files.
(48) Office of Personnel Employee Listings.
(49) Office of Personnel Employment and Staffing Files.
(50) Office of Personnel Position Classification Files.
(51) Office of Personnel Training Files.
(52) Office of Public Affairs Records.
(53) Pay and Leave System.
(54) Personnel Security Files.
(55) Public Utility Regulation Branch Files.
(56) Rule 2(e) of the Commission's Rules of Practice—Appearing or Practicing Before the Commission.
(57) SECO Files.
(58) Securities Violations Records and Bulletin.
(59) Staff Transfer and Promotion Records.
(60) Subject File Index.
(61) Atlanta Regional Office General Index of Files.
(62) Atlanta Regional Office Investigate Files.
(63) Boston Regional Office Investigation Index File.
(64) Boston Regional Office Investigative Files.
(65) Chicago Regional Office Index Cards.
(66) Chicago Regional Office Investigative Files.
(67) Cleveland Branch Office Broker-Dealer Files.
(68) Cleveland Branch Office Index Cards.
(69) Cleveland Branch Office Investigatory Files.
(70) Cleveland Branch Office Investment Adviser Files.
(71) Denver Regional Office Investigative Files.
(72) Denver Regional Office Regulation A Control Cards.
(73) Denver Regional Office and Salt Lake Branch Office Cross Reference Index Cards.
(74) Detroit Branch Office Broker-Dealer Files.
(75) Detroit Branch Office Index Cards.
(76) Detroit Branch Office Investigatory Files.
(77) Detroit Branch Office Investment Adviser Files.
(78) Fort Worth Regional Office and Houston Branch Office General Indices.
(79) Fort Worth Regional Office Investigative Files.
(80) Houston Branch Office Investigative Files.
(81) Los Angeles Regional Office Broker-Dealer Files.
(82) Los Angeles Regional Office Investigative Files.
(83) Los Angeles Regional Office Investment Adviser Files.
(84) Miami, Branch Office General Index of Files.
(85) Miami Branch Office Investigative Files.
(86) New York Regional Office Index of Compliants.
(87) New York Regional Office Investigative Files.
(88) New York Regional Office Master Card Index.
(89) New York Regional Office Regulation A Work File.
(90) Philadelphia Branch Office Investigative Files.
(91) St. Louis Branch Office, Inquiry, Complaint and General Reference Files.
(92) St. Louis Branch Office Investigative Files.
(93) Salt Lake City Branch Office Investigative Files.
(94) San Francisco Branch Office Investigative Files.
(95) Los Angeles Regional Office Regulation A Files.
(96) Seattle Regional Office Master Card Index and Related Regulatory, Investigatory, and Legal Files System (MCI System).
(97) Washington Regional Office Investigatory Files.
(98) Washington Regional Office and Philadelphia Branch Office, Administrative Proceedings Files.
(99) Washington Regional Office and Philadelphia Branch Office Litigation Files.
(100) Automated Personnel Information System.

Title 17-Commodity and Securities Exchange

Chapter II-Securities and Exchange Commission

PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

Subpart H—Regulations Pertaining to the Privacy of Individuals and Systems of Records Maintained by the Commission

Sec.
200.301 Purpose and scope.
200.302 Definitions.
200.303 Times, places and requirements for requests pertaining to individual records in a record system and for the identification of individuals making requests for access to the records pertaining to them.
200.304 Disclosure of requested records.
200.305 Special procedure: Medical records.
200.306 Requests for amendment or correction of records.
200.307 Review of requests for amendment or correction.
200.308 Appeal of initial adverse agency determination as to access or as to amendment or correction.
200.309 General provisions.
200.310 Fees.
200.311 Penalties.
200.312 Specific exemptions.

Subpart H—Regulations Pertaining to the Privacy of Individuals and Systems of Records Maintained by the Commission

Authority: Pub. L. 93–579, sec. (f), 5 U.S.C. 552a(f), unless otherwise noted.

Section 200.312 is also issued under Pub. L. 93–579, sec. k, 5 U.S.C. 552a(k).

Source: 40 FR 44068, Sept. 24, 1975 unless otherwise noted.

§ 200.301 Purpose and scope.

(a) The Privacy Act of 1974, Pub. L. 93–579, 88 Stat. 1896, is based, in part, on the finding by Congress that "in order to protect the privacy of individuals identified in information systems maintained by Federal agencies, it is necessary and proper for the Congress to regulate the collection, maintenance, use, and dissemination of information by such agencies." To achieve this objective the Act, among other things, provides, with some exceptions, that Federal agencies shall advise an individual upon request whether records maintained by the agency in a system of records pertain to the individual and shall grant the individual access to such records. The Act further provides that individuals may request amendments or corrections to records pertaining to them that are maintained by the agency, and that the agency shall either grant the requested amendments or set forth fully its reasons for refusing to do so.

(b) The Securities and Exchange Commission, pursuant to subsection (f) of the Privacy Act, adopts the following rules and procedures to implement the provisions of the Act summarized above, and other provisions of the Act. These rules and procedures are applicable to all requests for information, access or amendment to records pertaining to an individual that are contained in any system of records that is maintained by the Commission.

§ 200.302 Definitions.

The following definitions shall apply for purposes of this subpart:

(a) The terms "individual," "maintain," "record," "system of records," and "routine use" are defined for purposes of these rules as they are defined in 5 U.S.C. 552a(a)(2), (a)(3), (a)(4), (a)(5), and (a)(6).

(b) "Commission" means the Securities and Exchange Commission.

§ 200.303 Times, places and requirements for requests pertaining to individual records in a record system and for the identification of individuals making requests for access to the records pertaining to them.

(a) *Place to make request.* Any request by an individual to be advised whether any system of records maintained by the Commission and named by the individual contains a record pertaining to him, or any request by an individual for access to a record pertaining to him that is contained in a system of records maintained by the Commission, shall be submitted by the individual in person during normal business hours at the Commission's Public Reference Room, which is located at 450 Fifth Street, NW., Room 1024, Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, Washington, D.C. 20549. All requests will be required to be put in writing and signed by the individual making the request. In the case of requests for access that are made by mail, the envelope should be clearly marked "Privacy Access Request."

(1) *Information to be included in requests.* Each request by an individual concerning whether the Commission maintains in a system of records a record that pertains to him, or for access to any record pertaining to the individual that is maintained by the Commission in a system of records, shall include such information as will assist the Commission in identifying those records as to which the individual is seeking information or access. Where practicable, the individual should identify the system of records that is the subject of his request by reference to the Commission's notices of systems of records, which are published in the **Federal Register**, as required by section (e)(4) of the Privacy Act, 5 U.S.C. 552a(e)(4). Where a system of records is compiled on the basis of a specific identification scheme, the individual should include in his request the identification number or other identifier assigned to him. In the event the individual does not know the specific identifier assigned to him, he shall provide other information, including his full name, address, date of birth and subject matter of the record, to aid in processing his request. If additional information is required before a request can be processed, the individual shall be so advised.

(2) *Verification of identity.* When the fact of the existence of a record is not required to be disclosed under the Freedom of Information Act, 5 U.S.C. 552, as amended, or when a record as to which access has been requested is not required to be disclosed under that Act, the individual seeking the information or requesting access to the record shall be required to verify his identity before access will be granted or information given. For this purpose, individuals shall appear at the Commission's Public Reference Room located at 450 Fifth Street, NW, Room 1024, Washington, D.C., during normal business hours of 9 a.m. to 4:30 p.m. e.s.t., Monday through Friday, or at one of the Commission's Regional or Branch Offices. The addresses and business hours of those offices are listed below:

Atlanta Regional Office, 1375 Peachtree Street, NE, Suite 788, Atlanta, Georgia. Office hours—8:30 a.m.–5 p.m. e.s.t.
Boston Regional Office, 150 Causeway Street, Boston, Massachusetts 02114. Office hours—9 a.m.–5:30 p.m. e.s.t.
Chicago Regional Office, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1204, Chicago, Illinois 60604. Office hours—8:45 a.m.–5:15 p.m. c.s.t.
Cleveland Branch Office, Federal Office Building, 1240 East Ninth Street, Room 899, Cleveland, Ohio 44199. Office hours—8:30 a.m.–5 p.m. e.s.t.
Denver Regional Office, Two Park Central, Room 640, 1515 Arapahoe Street, Denver, Colorado 80202. Office hours—8 a.m.–4:30 p.m. m.s.t.
Detroit Branch Office, 1044 Federal Building, 231 W. Lafayette, Detroit, Michigan 48226. Office hours—8:30 a.m.–5 p.m. e.s.t.
Fort Worth Regional Office, 503 U.S. Court House, 10th and Lamar Streets, Forth Worth, Texas 76102. Office hours—8:30 a.m.–5 p.m. c.s.t.
Houston Branch Office, Federal Office & Courts Building, 515 Rusk Avenue, Room

5615, Houston, Texas. Office hours—8:30 a.m.–5 p.m. e.s.t.
Los Angeles Regional Office, 10960 Wilshire Boulevard, Suite 1710, Los Angeles, California 90024. Office hours—8 a.m.–4:30 p.m. p.s.t.
Miami Branch Office, DuPont Plaza Center, 300 Biscayne Boulevard Way, Suite 701, Miami, Florida 33131. Office hours—8:30 a.m.–5 p.m. c.s.t.
New York Regional Office, 26 Federal Plaza, New York, New York 10007. Office hours—9 a.m.–5:30 p.m. e.s.t.
Philadelphia Regional Office, William J. Green, Jr. Federal Building, 600 Arch Street, Room 2204, Philadelphia, Pennsylvania 19106. Office hours—9 a.m.–5:30 p.m. e.s.t.
Saint Louis Branch Office, 210 North 12th Street, Room 1452, Saint Louis, Missouri 63101. Office hours—8:30 a.m.–5 p.m. c.s.t.
Salt Lake City Branch Office, Federal Reserve Building, 120 South State Street, Salt Lake City, Utah 89111. Office hours—8 a.m.–4:30 p.m. m.s.t.
San Francisco Branch Office, 450 Golden Gate Avenue, Box 36042, San Francisco, California 94102. Office hours—8 a.m.–4:30 p.m. p.s.t.
Seattle Regional Office, 3040 Federal Building, 915 Second Avenue, Seattle, Washington 98174. Office hours—8:30 a.m.–5 p.m. p.s.t.

None of the Commission's Offices are open on Saturday, Sunday or the following legal holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Columbus Day, Thanksgiving Day or Christmas Day.

(3) *Methods for verifying identity—appearance in person.* For the purpose of verifying his identity, an individual seeking information as to records pertaining to him or access to those records shall furnish documentation that may reasonably be relied on to establish the individual's identity. Such documentation might include a valid birth certificate, driver's license, employee or military identification card, or medicare card.

(4) *Method for verifying identity by mail.* Where an individual cannot appear at one of the Commission's Offices for the purpose of verifying his identity, he shall submit, along with the request for information or access, a signed and notarized statement attesting to his identity. Where access is being sought, the sworn statement shall include a representation that the records being sought pertain to the individual and a stipulation that the individual is aware that knowingly and willfully requesting or obtaining records pertaining to an individual from the Commission under false pretenses is a criminal offense.

(5) *Additional procedures for verifying identity.* When it appears appropriate, there may be made such other arrangements for the verification of identity as are reasonable under the circumstances and appear to be effective to prevent unauthorized disclosure of, or access to, individual records.

(b) *Acknowledgement of requests for information pertaining to individual records in a record system or for access to individual records.* (1) Except where an immediate acknowledgement is given for requests made in person, the receipt of a request for information pertaining to individual records in a record system will be acknowledged within 10 days after the receipt of such request. Requests will be processed as promptly as possible and a response to such requests will be given within 30 days (excluding Saturdays, Sundays, and legal holidays) unless, within the 30 day period and for cause shown, the individual making the request is notified in writing that a longer period is necessary.

(2) When an individual appears in person at the Commission's Public Reference Room in Washington, D.C., or at one of its Regional or Branch Offices to request access to records pertaining to him, and such individual provides the required information and verification of identity, the Commission's staff, if practicable, will indicate at that time whether it is likely that the individual will be given access to the records and, if so, when and under what circumstances such access will be given. In the case of requests received by mail, whenever practicable, acknowledgement of the receipt of the request will be given within 10 days after receipt (excluding Saturdays, Sundays, and legal holidays). The acknowledgement will indicate, if practicable, whether or not access likely will be granted and, if so, when and under what circumstances.

[40 FR 44068, Sept. 24, 1975, as amended at 41 FR 44698, Oct. 12, 1976; 47 FR 26819, June 22, 1982; 52 FR 2677, Jan. 26, 1987]

§ 200.304 Disclosure of requested records.

(a) *Initial review.* Requests by individuals for access to records pertaining to them will be referred to the Commission's Privacy Act Officer who initially will determine whether access will be granted, *Provided, however,* That a Director of a Staff Division of the Commission or Office head whose zone of responsibility relates to the record requested (see 17 CFR 200.13 et seq.), may make a determination that access is not lawfully required to be granted and should not be granted, in which case he, and not the Privacy Act Officer, shall make the required notification to the individual making the request.

(b) *Grant of request for access.* (1) If it is determined that a request for access to records pertaining to an individual will be granted, the individual will be advised by mail that access will be given at the designated Office of the Commission or a copy of the requested record will be provided by mail if the individual shall so indicate. Where the individual requests that copies of the record be mailed to him or requests copies of a record upon reviewing it at a Commission Office, the individual shall pay the cost of making the requested copies, as set forth in § 200.310.

(2) In granting access to an individual to a record pertaining to him, such steps shall be taken by the Commission's staff as are necessary to prevent the unauthorized disclosure at the same time of information pertaining to individuals other than the person making the request or of other information that does not pertain to the individual.

(c) *Denial of request for access.* If it is determined that access will not be granted, the individual making the request will be notified of that fact and given the reasons why access is being denied. The individual also will be advised (1) of his right to seek review by the General Counsel of the initial decision to deny access, in accordance with the procedures set forth in § 200.308; and (2) of his right ultimately to obtain judicial review pursuant to 5 U.S.C. 552a(g)(1)(A) of a final denial of access by the Commission.

(d) *Time for acting on requests for access.* Access to a record pertaining to an individual normally will be granted or denied within 30 days (excluding Saturdays, Sundays and legal holidays) after the receipt of the request for access unless the individual making the request is notified in writing within the 30 day period that, for good cause shown, a longer time is required. In such cases, the individual making the request shall be informed in writing of the difficulties encountered and an indication shall be given as to when it is anticipated that access may be granted or denied.

(e) *Authorization to allow designated person to review and discuss records pertaining to another individual.* An individual who is granted access to records pertaining to him, and who appears at a Commission Office to review the records, may be accompanied by another person of his choosing. Where the records as to which access has been granted are not required to be disclosed under provisions of the Freedom of

Information Act 5 U.S.C. 552, as amended, the individual requesting the records, before being granted access, shall execute a written statement, signed by him and the person accompanying him, which specifically authorizes the latter individual to review and discuss the records. If such authorization has not been given as described, the person who has accompanied the individual making the request will be excluded from any review or discussion of the records.

(f) *Exclusion for certain records.* Nothing contained in these rules shall allow an individual access to any information compiled in reasonable anticipation of a civil action or proceeding.

[40 FR 44068, Sept. 24, 1975, as amended at 49 FR 13866, Apr. 9, 1984]

§ 200.305 Special procedure: Medical records.

(a) *Statement of physician or mental health professional.* When an individual requests access to records pertaining to him that include medical and/or psychological information, the Commission, if it deems it necessary under the particular circumstances, may require the individual to submit with the request a signed statement by his physician or a mental health professional indicating that, in their opinion, disclosure of the requested records or information directly to the individual will not have an adverse effect on the individual.

(b) *Designation of physician or mental health professional to receive records.* If the Commission believes, in good faith, that disclosure of medical and/or psychological information directly to an individual could have an adverse effect on that individual, the individual may be asked to designate in writing a physician or mental health professional to whom he would like the records to be disclosed, and disclosure that otherwise would be made to the individual will instead be made to the designated physician or mental health professional.

§ 200.306 Requests for amendment or correction of records.

(a) *Place to make requests.* A request by an individual to amend or correct records pertaining to him may be made in person during normal business hours at the Commission's Public Reference Room located at 450 Fifth Street, NW., Washington, D.C., or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, Washington, D.C. 20549.

(1) *Information to be included in requests.* Each request to amend or correct a Commission record shall reasonably describe the record sought to be amended or corrected. Such description should include, for example, relevant names, dates and subject matter to permit the record to be located among the records maintained by the Commission. An individual who has requested that a record pertaining to him be amended or corrected will be advised promptly if the record cannot be located on the basis of the description given and that further identifying information is necessary before his request can be processed. An initial evaluation of a request presented in person will be made immediately to ensure that the request is complete and to indicate what, if any, additional information will be required. Verification of the individual's identity as set forth in § 200.303(a), (2), (3), (4) and (5) may also be required.

(2) *Basis for amendment or correction.* An individual requesting an amendment or correction to a record pertaining to him shall specify the substance of the amendment or correction and set forth facts and provide such materials that would support his contention that the record pertaining to him as maintained by the Commission is not accurate, timely or complete, or that the record is not necessary and relevant to accomplish a statutory purpose of the Commission as authorized by law or by Executive Order of the President.

(b) *Acknowledgement of requests for amendment or correction.* Receipt of a request to amend or correct a record pertaining to an individual normally will be acknowledged in writing within 10 days after such request has been received. When a request to amend or correct is made in person, the individual making the request will be given a written acknowledgement when the request is presented. The acknowledgement will describe the request received and indicate when it is anticipated that action will be taken on the request. No acknowledgement will be sent when the request for amendment or correction will be reviewed, and an initial decision made, within 10 days from the date the request is received.

[40 FR 44068, Sept. 24, 197, as amended at 47 FR 26819, June 22, 1982]

§ 200.307 Review of requests for amendment or correction.

(a) *Initial review.* As in the case of requests for access, requests by individuals for amendment or correction to records pertaining to them will be referred to the Commission's Privacy Act Officer for an initial determination, except that such requests may be considered by a Division Director or Office Head as set forth in § 200.304(a).

(b) *Standards to be applied in reviewing requests.* In reviewing requests to amend or correct records, the Privacy Act Officer, or Division or Office head, will be guided by the criteria set forth in 5 U.S.C. 552a(e)(1), i.e., that records maintained by the Commission shall contain only such information as is necessary and relevant to accomplish a statutory purpose of the Commission as required by statute or Executive Order of the President and that such information also be accurate, timely, and complete. These criteria will be applied whether the request is to add material to a record or to delete information from a record.

(c) *Time for acting on requests.* Initial review of a request by an individual to amend or correct a record pertaining to him shall be completed as promptly as is reasonably possible and normally within 30 days (excluding Saturdays, Sundays and legal holidays) from the date the request was received, unless unusual circumstances preclude completion of review within that time. If the anticipated completion date indicated in the acknowledgement cannot be met, the individual requesting the amendment will be advised in writing of the delay and the reasons therefor, and also advised when action is expected to be completed.

(d) *Grant of requests to amend or correct records.* If a request to amend or correct a record is granted in whole or in part, the Privacy Act Officer will: (1) Advise the individual making the request in writing of the extent to which it has been granted; (2) amend or correct the record accordingly; and (3) where an accounting of disclosures of the record has been kept pursuant to 5,U.S.C. 552a(c), advise all previous recipients of the record of the fact that the record has been amended or corrected and the substance of the amendment or correction.

(e) *Denial of requests to amend or correct records.* If an individual's request to amend or correct a record pertaining to him is denied in whole or in part, the Privacy Act Officer will: (1) Promptly advise the individual making the request in writing of the extent to which the request has been denied; (2) state the reasons for the denial of the request; (3) describe the procedures established by the Commission to obtain further review within the Commission of the request to amend or correct, including the name and address of the person to whom the appeal is to be addressed; and (4) inform the individual that the Privacy Act Officer will provide information and assistance to the individual in perfecting an appeal of the initial decision.

(5 U.S.C. 552a(f); sec. 19, Securities Act of 1933, 48 Stat. 85, as amended; sec. 23, Securities Exchange Act of 1934, 48 Stat. 901, as amended; sec. 20, Public Utility Holding Company Act of 1935, 49 Stat. 833; sec. 319, Trust Indenture Act of 1939, 53 Stat. 1173; sec. 38, Investment Company Act of 1940, 54 Stat. 841; sec. 211, Investment Advisers Act of 1940; 50 Stat. 855 (15 U.S.C. 77s, 78w, 79t, 77sss, 80a–37, 80b–11)

[40 FR 44068, Sept. 24, 1975, as amended at 49 FR 13866, Apr. 9, 1984]

§ 200.308 Appeal of initial adverse agency determination as to access or as to amendment or correction.

(a) *Administrative review.* Any person who has been notified pursuant to § 200.304(c) that his request for access to records pertaining to him has been denied, or pursuant to § 300. 307(e) that his request for amendment or correction has been denied in whole or in part, or who has received no response to a request for access or to amend within 30 days (excluding Saturdays, Sundays and legal holidays) after his request was received by the Commission's staff (or within such extended period as may be permitted in accordance with § 200.304(d) and § 200.307(c)), may appeal the adverse determination or failure to respond by applying for an order of the General Counsel determining and directing that access to the record be granted or that the record be amended or corrected in accordance with his request.

(1) The application shall be in writing and shall describe the record in issue and set forth the proposed amendment or correction and the reasons therefor.

(2) The application shall be delivered to the Securities and Exchange Commission, Public Reference Branch, Room 1024, 450 Fifth Street, NW, Washington, D.C., or by mail to the Privacy Act Officer, Securities and Exchange Commission, Washington, D.C. 20549.

(3) The applicant, if he wishes, may state such facts and cite such legal or other authorities as he may consider appropriate in support of his application.

(4) The General Counsel will make a determination with respect to any appeal within 30 days after the receipt of such appeal (excluding Saturdays, Sundays and legal holidays), unless for good cause shown, the General Counsel shall extend that period. If such an extension is made, the individual who is appealing shall be advised in writing of the extension, the reasons therefor, and the anticipated date when the appeal will be decided.

(5) In considering an appeal from a denial of a request to amend or correct a record, the General Counsel shall apply the same standards as set forth in § 200.307 (b).

(6) If the General Counsel shall conclude that access should be granted, he or she shall issue an order granting access and instructing the Privacy Act Officer to comply with § 200.304(b).

(7) If the General Counsel shall conclude that the request to amend or correct the record should be granted in whole or in part, it shall issue an order granting the requested amendment or correction in whole or in part and instructing the Privacy Act Officer to comply with the requirements of § 200.307(d), to the extent applicable.

(8) If the General Counsel affirms the initial decision denying access, it shall issue an order denying access and advising the individual seeking access to (i) the order; (ii) the reasons for denying access; and (iii) the individual's right to obtain judicial review of the Commission's decision pursuant to 5 U.S.C. 552a(g)(1)(B).

(9) If the General Counsel determines that the decision of the Privacy Act Officer denying a request to amend or correct a record should be upheld it shall issue an order denying the request and the individual shall be advised of (i) the order refusing to amend or correct the record and the reasons therefor; (ii) his right to file a concise statement setting forth his disagreement with the General Counsel's decision not to amend or correct the record; (iii) the procedures for filing such a statement of disagreement with the General Counsel; (iv) the fact that any such statement of disagreement will be made available to anyone to whom the record is disclosed, together with, if the General Counsel deems it appropriate, a brief statement setting forth the General Counsel's reasons for refusing to amend or correct; (v) the fact that prior recipients of the record in issue will be provided with the statement of disagreement and the General Counsel's statement, if any, to the extent that an accounting of such disclosures has been maintained pursuant to 5 U.S.C. 552a(c); and (vi) the individual's right to seek judicial review of the General Counsel's refusal to amend or correct, pursuant to 5 U.S.C. 552a(g)(1)(A).

(10) In appropriate cases the General Counsel may, in his or her sole and unfettered discretion, refer matters requiring administrative review of initial decisions to the Commission for determination and the issuance, where indicated, or orders.

(b) *Statement of disagreement.* As noted in paragraph (a)(9)(ii) of this section, an individual may file with the General Counsel a statement setting forth his disagreement with the General Counsel's denial of his request to amend or correct a record.

(1) Such statement of disagreement shall be delivered to the Securities and Exchange Commission, Public Reference Branch, 450 Fifth Street, NW, Room 1024, Washington, D.C. 20549, or mail to the Privacy Act Officer, Securities and Exchange Commission, Washington, D.C. 20549, within 30 days after receipt by the individual of the General Counsel's order denying the amendment or correction. For good cause shown this period can be extended for a reasonable time.

(2) Such statement of disagreement shall concisely state the basis for the individual's disagreement. Generally a statement should be no more than two pages in length, except an individual may submit a slightly longer statement if it is necessary to set forth his disagreement effectively. Unduly lengthy or irrelevant materials will be returned to the individual by the General Counsel for appropriate revisions before they become a permanent part of the individual's record.

(3) The record about which a statement of disagreement has been filed will clearly note which part of the record is disputed and the General Counsel will provide copies of the statement of disagreement and, if the General Counsel deems it appropriate, provide a concise statement of its reasons for refusing to amend or correct the record, to persons or other agencies to whom the record has been or will be disclosed.

(4) In appropriate cases, the General Counsel may, in his or her sole and unfettered discretion, refer matters concerning statements of disagreement to the Commission for disposition.

(5 U.S.C. 552a(f); sec. 19, Securities Act of 1933, 48 Stat. 85, as amended; sec. 23, Securities Exchange Act of 1934, 48 Stat. 901, as amended; sec. 20, Public Utility Holding Company Act of 1935, 49 Stat. 833; sec. 319, Trust Indenture Act of 1939, 53 Stat. 1173; sec. 38, Investment Company Act of 1940, 54 Stat. 841; sec. 211, Investment Advisers Act of 1940; 50 Stat. 855 (15 U.S.C. 77s, 78w, 79t, 77sss, 80a–37, 80b–11)

[40 FR 44068, Sept. 24, 1975, as amended at 42 FR 40190, Aug. 9, 1977; 47 FR 26819, June 22, 1982; 49 FR 13866, Apr. 9, 1984]

§ 200.309 General provisions.

(a) *Extensions of time.* Pursuant to §§ 200.303(b), 200.304(d), 200.307(c) and 200.308(a)(4), the time within which a request for information, access or amendment by an individual with respect to records maintained by the Commission that pertain to him normally would be processed may be extended for good cause shown or because of unusual circumstances. As used in these rules, "good cause" and "unusual circumstances" shall include, but only to the extent reasonably necessary to the proper processing of a particular request—

(1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the Office processing the request. Many records of the Commission are stored in Federal Records Centers in accordance with law—including many of the documents which have been on file with the Commission for more than 2 years—and cannot be made available promptly. Other records may temporarily be located at a Regional or Branch Office of the Commission. Any person who has requested for personal examination a record stored at the Federal Records Center or temporarily located in a Regional or Branch Office of the Commission will be notified when the record will be made available to him.

(2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which may be demanded in a single request. While every reasonable effort will be made fully to comply with each request as promptly as possible on a first-come, first-served basis, work done to search for, collect and appropriately examine records in response to a request for a large number of records will be contingent upon the availability of processing personnel in accordance with an equitable allocation of time to all members of the public who have requested or wish to request records.

(3) The need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request, or among two or more components within the Commission having substantial subject-matter interest therein.

(b) *Effective date of action.* Whenever it is provided in this subpart that an acknowledgement or response to a request will be given by specific times, deposit in the mails of such acknowledgement or response by that time, addressed to the person making the request, will be deemed full compliance.

(c) *Records in use by a member of the Commission or its staff.* Although every effort will be made to make a record in use by a member of the Commission or its staff available when requested, it may occasionally be necessary to delay making such a record available when doing so at the time the request is made would seriously interfere with the work of the Commission or its staff.

(d) *Missing or lost records.* Any person who has requested a record or a copy of a record pertaining to him will be notified if the record sought cannot be found. If he so requests, he will be notified if the record subsequently is found.

(e) *Oral requests; misdirected written requests*—(1) *Telephone and other oral requests.* Before responding to any request by an individual for information concerning whether records maintained by the Commission in a system of records pertain to him or to any request for access to records by an individual, such request must be in writing and signed by the individual making the request. The General Counsel will not entertain any appeal from an alleged denial or failure to comply with an oral request. Any person who has orally requested information or access to records pertaining to him that he believes to have been improperly denied to him should resubmit his request in appropriate written form in order to obtain proper consideration and, if need be, administrative review.

(2) *Misdirected written requests.* The Commission cannot assure that a timely or satisfactory response will be given to written requests for information, access or amendment by an individual with respect to records pertaining to him that are directed to the Commission other than in the manner prescribed in §§ 200.303(a), 200.306(a), 200.308(a)(2), and 200.310. Any staff member who receives a written request for information, access or amendment should promptly forward the request to the Privacy Act Officer. Misdirected requests for records will be considered to have been received by the Commission only when they have been actually received by the Privacy Act Officer in cases under § 200.308(a)(2). The Commission will not entertain any appeal from an alleged denial or failure to comply with a misdirected request, unless it is clearly shown that the request was in fact received by the Privacy Act Officer.

[40 FR 44068, Sept. 24, 1975, as amended at 42 FR 40190, Aug. 9, 1977; 49 FR 13867, Apr. 9, 1984]

§ 200.310 Fees.

(a) A request by an individual for copies of a record pertaining to him or her that is maintained by the Commission may be made in person during normal business hours at the Public Reference Room at 450 Fifth Street, NW, Room 1024, Washington, DC, or by mail addressed to the Privacy Act Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. There will be no charge assessed to the individual for the Commission's expense involved in searching for or reviewing the record. Copies of the Commission's records will be provided by a commercial copier or by the Commission at rates established by a contract between the copier and the Commission. In addition, copying machines are provided for public use in the public reference facilities in the Commission's Washington, D.C., New York, Los Angeles and Chicago offices.

(b) *Waiver or reduction of fees.* Whenever the Director of the Office of Consumer Affairs and Information Services determines that good cause exists to grant a request for reduction or waiver of fees for copying documents, he may reduce or waive any such fees.

(Pub. L. 87–592, 76 Stat. 394, 15 U.S.C. 78d–1, 78d–2; Pub. L. 93–502)

[42 FR 56727, Oct. 28, 1977; as amended at 47 FR 26819, June 22, 1982; 49 FR 12686, Mar. 30, 1984; 50 FR 50287, Dec. 10, 1985]

§ 200.311 Penalties.

Title 18 U.S.C. Sec. 1001 makes it a criminal offense, subject to a maximum fine of $10,000, or imprisonment for not more than 5 years or both, to knowingly and willingly make or cause to be made any false or fraudulent statements or representations in any matter within the jurisdiction of any agency of the United States. 5 U.S.C. 552a(i) makes it a misdemeanor punishable by a fine of not more than $5,000 for any person knowingly and willfully to request or obtain any record concerning an individual from the Commission under false pretenses. 5 U.S.C. 552a(i) (1) and (2) provide criminal penalties for certain violations of the Privacy Act by officers and employees of the Commission.

§ 200.312 Specific exemptions.

Pursuant to section (k) of the Privacy Act of 1974, the Chairman of the Securities and Exchange Commission, with the concurrence of the Commission, has deemed it necessary to promulgate the following exemptions to specified provisions of the Privacy Act:

(a) Pursuant to, and limited by 5 U.S.C. 552a(k)(2), the following systems of records maintained by the Commission shall be exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f) and 17 CFR 200.303, 200.304, and 200.306, insofar as they contain investigatory materials compiled for law enforcement purposes:

(1)Enforcement Files;

(2)Litigation, Actions and Proceedings Bulletin;

(3)Office of the General Counsel Working Files'

(4)Office of the Chief Accountant Working Files;

(5)Complaint Processing System;

(6)Investor Service Complaint Index;

(7)Name–Relationship Index System; and

(8)Rule 2(e) of the Commission's Rules of Practice–Appearing or Practicing Before the Commission.

(b) Pursuant to 5 U.S.C. 552a(k)(5), the systems of records containing the Commission's (1) Office of Personnel Code of Conduct and Employee Performance Files and (2) Personnel Security Files shall be exempt from Sections (c)(3), (d), (e)(1), (e)(4) (C), (H), and (I), and (f) of the Privacy Act, 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f), and 17 CFR 200.303, 200.304, and 200.306 insofar as they contain investigatory material compiled to determine an individual's suitability, eligibility, and qualifications for Federal civilian employment or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence.

(Pub. L. 93–579, Sec. k, 5 U.S.C. 552a(k))

[40 FR 44073, Sept. 24, 1975; as amended at 52 FR 2677, Jan. 26, 1987; 54 FR 24332, June 7, 1989; 54 FR 46373, Nov. 3, 1989]

SELECTIVE SERVICE SYSTEM

System of Records

SSS-2—General Files (Registrant Processing).
SSS-3—Reconciliation Service Records.
SSS-4—Registrant Information Bank.
SSS-5—Registrant Processing Records.
SSS-6—Reserve and National Guard Personnel Records.
SSS-7—Uncompensated Personnel Records.
SSS-8—Suspected Violator Inventory System.
SSS-9—Master Pay Record.
SSS-10—Registrant Registration Records.

SSS-2

System name:

General Files (Registrant Processing)—SSS.

Security classification:

None.

System location:

National Headquarters, Selective Service System, 1023—31st Street, NW, Washington, DC 20435.

Categories of individuals covered by the system:

Registrants of the Selective Service System and other individuals and organizations.

Categories of records in the system:

Contains current and previous correspondence with individual registrants, private individuals and Government agencies, requesting information or resolution of specific problems related to registrant processing or agency operations.

Authority for maintenance of the system:

Section 10(b)(3), Military Selective Service Act (50 U.S.C. App. 460(b)(3)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Department of Justice—Refer to reports received as to possible violations of the Military Selective Service Act.

Federal Bureau of Investigation—Refer reports received as to possible violations of the Military Selective Service Act.

Department of Defense—Exchange of information respecting status of individuals subject to the provisions of the Military Selective Service Act.

Immigration and Naturalization Service—Response to inquiries concerning aliens.

Department of Health and Human Services—for locations of parents pursuant to the Child Support Enforcement Act (42 U.S.C. 651 et seq.)

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper copies maintained in routine filing equipment.

Retrievability:

Records are indexed alphabetically by last name.

Safeguards:

Measures that have been taken to prevent unauthorized disclosure of records are:

a. Records maintained by authorized personnel only, who have been trained in the rules and regulations concerning dislosure of information; offices are locked when authorized personnel are not on duty.

b. Periodic security checks and other emergency planning.

c. Records transferred for storage are boxed and taped; records in transit for temporary custody of another office are sealed. Records eligible for destruction are destroyed by maceration, shredding or burning.

Retention and disposal:

Hold file intact for five years from date of latest correspondence; select one percent sample for National Archives and destroy balance. If one percent sample is not accepted by Archives, the one percent sample is also destroyed.

System manager(s) and address:

Director of Selective Service, 1023-31st Street NW., Washington, DC 20435 Attn: Records Manager.

Record access procedures:

An individual desiring to obtain information on the procedures for gaining access to and contesting records may write to: Director of Selective Service, Selective Service System, 1023-31st Street NW., Washington, DC 20435, Attn: Records Manager.

It is necessary to furnish the following information in order to identify the individual whose records are requested:

a. Full name of the individual.

b. Date of birth.

c. Selective Service Number.

d. Mailing address to which the reply should be mailed.

Contesting record procedures:

See Access, above.

Record source categories:

Individual registrants and private individuals and organizations, Members of the Congress acting on behalf of constituents.

Systems exempted from certain provisions of the act:

None.

SSS-3

System name:

Reconciliation Service Records—SSS.

Security classification:

None.

System location:

National Headquarters, Selective Service System, 1023—31st Street NW, Washington, DC 20435.

Categories of individuals covered by the system:

Vietnam era draft evaders and military deserters (whose surnames begin with A through R) who have qualified for a period of alternate service as a condition for reconciliation under Presidential Proclamation 4313, signed September 16, 1974.

Categories of records in the system:

Registration Card: Individual's name, address, telephone number, personal description, date of birth, Social Security Account Number, former military service, date of registration, reconciliation service required, date reconciliation service started and terminated, total reconciliation service, individual's signature.

Authority for maintenance of the system:

Presidential Proclamation 4313; E.O. 11804; 5 U.S.C. 553; 50 U.S.C. App. 460(b)(3).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Referral to the Department of Justice for appropriate action in cases involving unsatisfactory participation.

Referral to the appropriate military referring authority, upon request, in cases involving the updating of military discharges.

Referral to the Presidential Clemency Board, upon request, in cases necessitating additional review.

Referral to Office of Management and Budget, upon request, in cases undergoing investigative review in conjunction with the specific functions of these agencies.

Exchange of information with Reconciliation Service employers regarding the placement, supervision of and performance of Reconciliation Service by returnees who have agreed to perform such service.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

All registration cards and microfiche of registration cards are stored in either metal or wood filing cabinets.

Retrievability:

The system is alphabetically indexed by last name.

Safeguards:

Measures that have been taken to prevent unauthorized disclosure of records are:

a. Records are maintained by authorized personnel only, who have been trained in the rules and regulations concerning disclosure of information; offices are locked when authorized personnel are not on duty.

b. Periodic security checks and other emergency planning.

c. Records transferred for storage are boxed and taped; records in transit for temporary custody of another office are sealed.

Records eligible for destruction are destroyed by maceration, shredding, or burning.

Retention and disposal:

Registration Cards or microfiche thereof will be retained until the enrollee reaches 85 years of age.

System manager(s) and address:

Director of Selective Service, Selective Service System, 1023—31st Street NW., Washington, DC 20435, Attn: Records Manager.

Record access procedures:

An individual desiring to obtain information on the procedures for gaining access to and contesting records may write to: Director of Selective Service, Selective Service System, 1023—31st Street NW., Washington, DC 20435, Attn: Records Manager.

Contesting record procedures:

See Access, above.

Record source categories:

Sources of records in the system are primarily established by the individual at the time and place of enrollment, based on oral and written information given by the enrollee. Other sources of information include the Report of Separation From Active Duty (DD Form 214), referral documents from the referring authority and information provided by an enrollee's employer.

Systems exempted from certain provisions of the act:

None.

SSS-4

System name:

Registrant Information Bank (RIB) Records—SSS.

Security classification:

None.

System location:

Date Management Center/Joint Computer Center, Great Lakes, Illinois 60088.

Categories of individuals covered by the system:

Registrants of the Selective Service System after 1979.

Categories of records in the system:

The Registrant Information Bank (RIB) is an automated data processing system which stores information concerning registration, classification, examination, assignment and induction of Selective Service registrants.

Authority for maintenance of the system:

Section 10(b)(3) of the Military Selective Service Act (50 U.S.C. App. 460(b)(3)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Department of Defense—exchange of information concerning registration classification, enlistment, examination and induction of individuals, and for recruiting (prior to April 1, 1982 only on request of the registrant).

Alternative service employers—for exchange of information with employers regarding a registrant who is a conscientious objector for the purpose of placement in and supervision of performance of alternative service in lieu of induction into military service.

Department of Justice—for review and processing of suspected violations of the Military Selective Service Act, or for perjury, and for defense of a civil action arising from administrative processing under such Act.

Federal Bureau of Investigation—for location of an individual when suspected of violation of the Military Selective Service Act.

Immigration and Naturalization Service—to provide information for use in determining an individual's eligibility for re-entry into the United States and United States citizenship.

Department of State—for determination of an alien's eligibility for possible entry into the United States and United States citizenship.

Office of Veteran's Reemployment Rights, United States Department of Labor—to assist veterans in need of information concerning reemployment rights.

Department of Health and Human Services—for locations of parents pursuant to the Child Support Enforcement Act (42 U.S.C. 661 et seq.) and for determining the individual's proper Social Security Account Number when there appears to be a discrepancy.

State and local government agencies–to provide information which may constitute evidence of a violation of State or local law, for law enforcement purposes.

General Public—Registrant's Name, Selective Service Number, Date of Birth and Classification.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records are maintained on tape, disc and computer printouts.

Retrievability:

The system is indexed by Selective Service Number.

Safeguards:

a. On-line access to RIB from terminals is available to authorized personnel, and is controlled by User Identification and password. Batch access controlled via standard data processing software and hardware techniques.

b. Records are handled by authorized personnel only, who have been trained in the rules and regulations concerning disclosure of information; offices are locked when authorized personnel are not on duty and protected by an electronic security access system at all times.

c. Premises are locked and patrolled when authorized personnel not on duty.

d. Periodic security checks and emergency planning.

Retention and disposal:

When eligible for disposal, the computer tapes are erased. The records stored in the Registrant Information Bank (RIB) are retained until registrant reaches age 85.

The computer printouts are distributed to the National Headquarters and destroyed when they have served their purpose by maceration, shredding or burning. Computer printouts used at the Data Management Center are destroyed by maceration after they have served their purpose or upon records appraisal action.

System manager(s) and address:

Director of Selective Service, Selective Service System, 1023—31st Street NW., Washington, DC 20435.

Record access procedures:

An individual desiring to obtain information on the procedures for gaining access to and contesting records may write to: Director of Selective Service, Selective Service System, 1023—31st Street NW., Washington, DC 20435, Attn: Records Manager.

It is necessary to furnish the following information in order to identify the individual whose records are requested:

a. Full name of the individual.
b. Date of birth.
c. Selective Service Number.
d. Mailing address to which the reply should be mailed.

Contesting record procedures:

See Access, above.

Record source categories:

Forms prepared by the field elements are the input documents for all information recorded in the SSS—Registrant Information Bank (RIB) Records.

Systems exempted from certain provisions of the act:

None.

SSS-5

System name:

Registrant Processing Records—SSS.

Security classification:

None.

System location:

Records are stored in the Federal Records Center serving the State in which the registrant resided.

Categories of individuals covered by the system:

Registrants of the Selective Service System before 1976.

Categories of records in the system:

Individual Processing Records:

a. Registration Card—a locator card identifying the registrant.

b. Classification Record—a listing of the classes in which the registrant was placed and the dates of the classifications.

c. Registrant File Folder and Contents for certain aliens and expatriated U.S. citizens—contains all information necessary for registrant's processing, including forms, statements, correspondence, and copies of documents relevant to inclusion for, or exemption or deferment from training and service under the Military Selective Service Act and Regulations.

Authority for maintenance of the system:

Sections 3, 10(b)(3) and 15(b) of the Military Selective Service Act (50 U.S.C. App. 453, 460(b)(3), 465(b)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Department of Defense—for exchange of information concerning registration, classification, enlistment, examination and induction of individuals.

Alternative service employers—for exchange of information with employers regarding a registrant who is a conscientious objector for the purpose of placement in and supervision of performance of alternative service in lieu of induction into military service.

Department of Justice—for review and processing of suspected violation of the Military Selective Service Act or for perjury and for defense of a civil action arising from administrative processing under such Act.

Federal Bureau of Investigation—for location of an individual when suspected of violation of the Military Selective Service Act.

Immigration and Naturalization Service—to provide information for use in determining an individual's eligibility for re-entry into the United States.

Department of State—for determination of an alien's eligibility for possible entry into the United States and United States citizenship.

Office of Veteran's Reemployment Rights, United States Department of Labor—to assist veterans in need of information concerning reemployment rights.

Department of Health and Human Services—for locations of parents pursuant to the Child Support Enforcement Act (42 U.S.C. 651 et seq.) and for determining the individual's proper Social Security Account Number when there appears to be a discrepancy.

State and local government agencies- to provide information which may constitute evidence of a ciolation of State or local law, for law enforcement purposes.

General Public—Registrant's Name, Selective Service Number, Date of Birth and Classification.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on manually prepared forms, in file folders, and correspondence files.

Retrievability:

Records are indexed by name (within local board) and Selective Service Number.

Safeguards:

Measures that have been taken to prevent unauthorized disclosure of records are:

a. Records are maintained by authorized personnel only, who have been trained in the rules and regulations concerning disclosure of information; offices are locked when authorized personnel not on duty.

b. Periodic security checks and other emergency planning.

c. Records transferred for storage are boxed and taped; records in transit for temporary custody of another office are sealed. Records eligible for destruction are destroyed by maceration, shredding or burning.

d. Only photostatic copies of records are withdrawn from the Centers. Withdrawals are requested by authorized personnel only.

Retention and disposal:

Individual Processing Records:

1. Registration Card—Retained until registrant reaches age 85, record active to age 35.

2. Classification Record—Retained until registrant reaches age 85, record active to age 35.

3. Registrant File Folder and Contents—All have been destroyed with the following exception: Files of registrants who are aliens (including former U.S. citizens who have expatriated themselves) who were last classified in an available class, or 4-C or whose last classification was 5-A immediately preceded by Class 4-C, are retained as permanent records.

System manager(s) and address:

Director of Selective Service, Selective Service System, 1023-31st Street NW., Washington, DC 20435.

Record access procedures:

An individual can obtain information on the procedures for gaining access to and contesting records through: Director of Selective Service, Selective Service System, 1023-31st Street NW, Washington, DC 20435, Attn: Record Manager.

It is necessary to furnish the following information in order to identify the individual whose records are requested:

1. Full name of the individual.
2. Selective Service Number, Order/Serial Number, or date of birth and address at time of registration if Selective Service Number or Order/Serial Number is not known.
3. Mailing address to which the reply should be mailed.

Contesting record procedures:

See Access above.

Record source categories:

Information contained in the Registrant Processing Records System is obtained from the individual and supporting documents from other persons, federal, state and local government agencies and institutions.

Systems exempted from certain provisions of the act:

None.

SSS-6

System name:

Reserve and National Guard Personnel Records-SSS.

Security classification:

None.

System location:

National Headquarters, Selective Service System, 1023—31st Street, NW., Washington, D.C. 20435.

Categories of individuals covered by the system:

Officers and Warrant Officers of the Reserve and National Guard currently assigned to the Selective Service System, and Officers and Warrant Officers formerly so assigned.

Categories of records in the system:

The records contain information relating to selection, placement and utilization of military personnel, such as name, rank, Social Security Account Number, date of birth, physical profile, residence and business, addresses, and telephone numbers. Information is also recorded on unit of assignment, occupational codes and data pertaining to training, cost factors, efficiency ratings and mobilization assignments and duties, and other information relating to the status of the member.

Authority for maintenance of the system:

Section 10(b)(2) of the Military Selective Service Act (50 U.S.C. App. 460(b)(2)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To provide information to the individual member's branch of the Armed Forces as required in connection with his assignment to the Selective Service System.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and on magnetic tape or disk.

Retrievability:

Records are indexed by name and Service Number.

Safeguards:

The records are maintained in lockable file containers. Measures that have been taken to prevent unauthorized disclosure of records are:

a. Use of the records or any information contained therein is limited to Selective Service System employees or Reserve Forces Members whose official duties require access.

b. Records are maintained by authorized personnel only, who have been trained in the rules and regulations concerning disclosure of information; offices are locked when authorized personnel are not on duty.

c. Periodic security checks and other emergency planning.

d. Records transferred for storage are boxed and taped; records in transit for temporary custody of another office are sealed.

Records eligible for destruction are destroyed by maceration, shredding or burning.

Retention and disposal:

Personnel records for Selective Service Reserve Forces are retained for one (1) year after separation and then disposed of in accordance with procedures provided by each Branch of Service.

System manager(s) and address:

Director of Selective Service, Selective Service System, 1023—31st Street, NW., Washington, D.C. 20435.

Record access procedures:

SS Reserve Forces Members or former members who wish to gain access to their records should make their request in writing, including their full name, rank, branch of service, address, and Social Security Account Number.

Director of Selective Service, Selective Service System, 1023—31st Street, NW., Washington, D.C. 20435, Attn: MSP (Military).

Contesting record procedures:

See Access, above.

Record source categories:

Information in this system is obtained directly from the individual to whom it applies or is derived from information supplied or is provided by the individual Branch of the Armed Forces.

Systems exempted from certain provisions of the act:

None.

SSS-7

System name:

Uncompensated Personnel Records--SSS.

Security classification:

None.

System location:

National Headquarters, Selective Service System, 1023—31st Street, NW., Washington, D.C. 20435.

Categories of individuals covered by the system:

Currently appointed uncompensated local board and appeal board members, other persons appointed in advisory or administrative capacity, and former appointees in an uncompensated capacity.

Categories of records in the system:

The records contain information relating to the selection, appointment and separation of appointees, such as name, date of birth, mailing address, residence and organization location, position title, minority group code, sex, weight, etc. length of service and occupational title.

Authority for maintenance of the system:

Section 10(b)(3) of the Military Selective Service Act (50 U.S.C. App. 460(b)(3)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Department of Justice—for exchange of information when required in connection with processing of alleged violations of the Military Selective Service Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and on magnetic tape.

Retrievability:

Records are indexed by name of individual record identification number and location.

Safeguards:

The records are maintained in lockable file containers. Measures that have been taken to prevent unauthorized disclosure of records are:

a. Use of the records or any information contained therein is limited to employees whose official duties require such access.

b. Records are maintained by authorized personnel only, who have been trained in the rules and regulations concerning disclosure of information; offices are locked when authorized personnel are not on duty.

c. Periodic security checks and other emergency planning.

d. Records transferred for storage are boxed and taped; records in transit for temporary custody of another office are sealed. Records eligible for destruction are destroyed by maceration, shredding or burning.

Retention and disposal:

Personnel Records for uncompensated appointees are maintained for one (1) year after separation at the servicing personnel office.

System manager(s) and address:

Director of Selective Service, Selective Service System, 1023—31st Street, NW., Washington, D.C. 20435.

Record access procedures:

Appointees who wish to gain access to their records should make requests in writing, including their full name, address (state in which appointed), date of birth and Social Security Account Number for former appointees, or record Identification Number for current appointees to:

Director of Selective Service, Selective Service System, 1023—31st Street, NW., Washington, D.C. 20435, Attn: MSP (Uncompensated).

Contesting record procedures:

See Access, above.

Record source categories:

Information in this system is obtained directly from the individual or is derived from information he has supplied or is provided by the agency official with authority to appoint the individual.

Systems exempted from certain provisions of the act:

None.

SSS-8

System name:

Suspected Violator Inventory System—SSS.

Security classification:

None.

System location:

Data Management Center/Joint Computer Center, Great Lakes, Illinois 60088.

Categories of individuals covered by the system:

Alleged violators of the Military Selective Service Act (50 U.S.C. App. 451 et seq).

Categories of records in the system:

Automated records created by matches between records contained in SSS-10 and other computer files, and other records related to non-registrants. Each record may contain the name, address, Selective Service Number (if any), Social Security Account Number (if any), date of birth, status, and disposition data relating to possible violations of the Military Selective Service Act.

Authority for maintenance of the system:

Section 10(b)(3) of the Military Selective Service Act (50 U.S.C. App. 460(b)(3)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The names of individuals identified as alleged violators of the Military Selective Service Act will be checked against the SSS-10 registrant file. If the individual has registered, the incoming communication will be destroyed and no further action will be taken. If the individual is not listed in the registrant file or cannot be identified therein where the incoming communication contains sufficient identifying information on the alleged violator to permit sending correspondence to him under the automated tracking system, the name and associated information will be added to that system and the incoming communication will be used to attempt to correspond with the alleged violator, giving him an opportunity to register. After a reasonable attempt is made to register the individual, and he neither registers nor provides documented evidence supporting exemption or where there is insufficient information to add the alleged violator to the automated tracking system, the incoming communication may be forwarded to the Department of Justice for investigation and, if applicable, return to Selective Service with sufficient information for adding to the automated tracking system or comparison with the registrant file. When computer matches of Selective Service files result in production of a list of possible non-registrants, that list may be provided to the Department of Defense and the Department of Transportation to eliminate from the list individuals not required to register. The names, dates of birth, Social Security Account Numbers, and home addresses of possible non-registrants who also have been identified as members of the Reserve components of the U.S. military services, including the U.S. Coast Guard, may be provided to the Department of Defense, including the military services, and the U.S. Coast Guard, Department of Transportation, to obtain current addresses. The names, dates of birth, Social Security Account Numbers, home addresses, and disposition data on possible non-registrants who have been identified as Federal student aid recipients by the Department of Education may be provided to the Department of Education, after processing by Selective Service, for investigation and, if applicable, forwarding to the Department of Justice for prosecution. The list may also be provided to the Internal Revenue Service to obtain current addresses of suspected non-registrants. After processing the information pertaining to suspected non-registrants will be forwarded to the Department of Justice for investigation and, if applicable, prosecution.

Where Selective Service determines that information as originally submitted appears to have contained a discrepancy, the names, dates of birth, Social Security Account Numbers, and home addresses of individuals may be returned to the original sources together with information concerning the discrepancy. Information concening the discrepancy may include correspondence from the individual concerned.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Upon receipt of unsolicited communications regarding alleged violators of the Military Service Act who are not listed in the SSS registrant file, a computer record will be created. This is an automated tracking system which contains the nature of the alleged violator, his Social Security Account Number if available, the date sent to the Department of Justice, the final disposition when received, and the case control number. The document is microfilmed, and can be retrieved by a Document Locator Number recorded in the computer record. The original document is destroyed.

When computer matches between Selective Service and other files produce lists of possible non-registrants, the computer file will be produced and maintained. As the list is processed the paper file will be produced from the microfilm records, containing correspondence between possible non-registrants and Selective Service. A computerized tracking file of cases will be maintained.

Retrievability:

Indexed Selective Service Number, Social Security Account Number, name and case number (if any).

Safeguards:

(a) Records are available to authorized Selective Service personnel only.

(b) Paper records are converted to microfilm. A microfilm copy is kept in a locked file cabinet accessible only to authorized personnel. The microfilm original is transferred to a Federal Archives and Records Center. The paper records are destroyed after microfilming.

(c) Building is secured and patrolled after normal business hours. Access is controlled by an electronic security access system.

(d) Computer files will be maintained at the Joint Computer Center at Great Lakes, Illinois.

(i) Security guards for the building will allow access to authorized personnel only.

(ii) Computer room will be secured with cypher locks.

(iii) Terminal access to the computer system will be restricted to those with valid user ID and password.

(iv) A Customer Information Control system will require additional password for interactive access to data base information.

(v) A software security package will protect access to data in the system.

(vi) Access to the violator section of the data base will not be possible without specific authorization by the Data Base Administrator.

Retention and disposal:

Upon receipt of unsolicited information regarding an alleged violation of the Military Selective Service Act, SSS will check the registrant file for the individual's name. If the individual has registered, the incoming correspondence will be destroyed and no record will be made or retained by SSS. If the individual is not listed in the registrant file, the individual will be entered into the automated tracking system, and the incoming correspondence will be used to attempt to correspond with the alleged violator, giving him an opportunity to register. After a reasonable attempt is made to register the individual, and he neither registers nor provides documented evidence supporting exemption, the communication may be sent to the Department of Justice. SSS will not retain copies of the incoming correspondence or any record identifying the source of the unsolicited information regarding an alleged violation. When computer matches identify persons as possible non-registrants, processing may result in the production of a paper file of correspondence and/or other information. SSS will not retain paper copies of this information when cases are referred to the Department of Justice, but will retain microfilm copies. Once the Department of Justice has disposed of the case, as it deems appropriate, the Department will notify SSS, and the individual's name and related data will be deleted from the tracking system list of possible non-registrants.

All paper forms and correspondence will be destroyed by maceration, shredding or burning after the appropriate information has been recorded. Computer printouts distributed to SSS National Headquarters are destroyed when they have served their temporary purpose by maceration, shredding or burning.

System manager(s) and address:

Director of Selective Service, Selective Service System, 1023-31st Street, NW., Washington, D.C. 20435.

Record access procedures:

If information in the system is desired, write to Director of Selective Service, Selective Service System, Washington, DC 20435, Attn: Records Manager and furnish the following information in order to identify the individual whose records are requested:

a. Full name.

b. Date of birth.

c. Selective Service Number or Social Security Account Number.

d. Mailing address to which the reply should be called.

Contesting record procedures:

See Access, above.

Record source categories:

The information in the sytem of records regarding alleged violators of the Military Selective Service Act is received via correspondence, telephone calls and computer matches of list of potential registrants.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(2) and 32 CFR 1665.6, the Selective System System will not reveal to the suspected violator the informant's name or other identifying information relating to the informant.

SSS-9

System name:

Master Pay Record—SSS.

Security classification:

None.

System location:

Data Management Center/Joint Computer Center, Great Lakes, Illinois 60088

Categories of individuals covered by the system:

Currently assigned civilian employees and former civilian employees who have separated during the current year and first prior calendar year.

Categories of records in the system:

Contains payroll information such as name, grade, annual salary, hourly rate, address. Social Security Account Number, birth date, date of hire, service computation date, annual leave category, life insurance and health benefits deductions, savings bond data and other information relating to the status of the employee.

Authority for maintenance of the system:

Section 10(b)(2) of the Military Selective Service Act (50 U.S.C. App. 460(b)(2)) and Title 5, U.S.C.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Selected information by name and Social Security Account Number is furnished the Internal Revenue Service and State and City taxing authorities.

Selected informaton by name, date of birth and Social Security Number is furnished the Office of Personnel Management for retirement, life insurance and health benefit accounts.

Department of Health and Human Services—for locations of parents pursuant to the Child Support Enforcement Act (42 U.S.C. 651 et seq.)

Disclosure to consumer reporting agencies:

Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in binders, on microfiche and magnetic tape.

Retrievability:

Records are indexed by Social Security Account Number.

Safeguards:

The records are maintained in lockable file containers.

Measures that have been taken to prevent unauthorized disclosure of records are:

a. Use of the records or any information contained therein is limited to employees whose official duties require such access.

b. Records are maintained by authorized personnel only, who have been trained in the rules and regulations concerning disclosure of information; offices are locked when authorized personnel are not on duty.

c. Periodic security checks and other emergency planning.

d. Records transferred for storage are boxed and taped; records in transit for temporary custody of another office are sealed.

e. No on-line access to RIB from terminals. Batch access controlled via standard data processing software and hardware techniques. Records eligible for destruction are destroyed by maceration, shredding or burning.

Retention and disposal:

The information on the magnetic tapes retained for two years, then erased. The microfiche copies are retained for one year, then destroyed by burning. The computer printouts are retained until updated, then destroyed by shredding.

System manager(s) and address:

Director of Selective Service, Selective Service System, 1023-31st Street, NW., Washington, D.C. 20435.

Record access procedures:

Current employees or former employees who wish to gain access to their records should make request in writing, including their full name, address and Social Security Account Number and duty station. Former employees should indicate last duty station with this agency. Inquiries should be mailed to:

Director of Selective Service, Selective Service System, 1023-31st Street, NW., Washington, D.C. 20435, Attention: MS.

Contesting record procedures:

See Access, above.

Record source categories:

Information in the system is obtained from the individual to whom it applies or is derived from information the individual supplied, or is provided by the agency official with authority to appoint the individual.

Systems exempted from certain provisions of the act:

None.

SSS-10

System name:

Registrant Registration Records—SSS.

Security classification:

None.

System location:

Data Management Center/Joint Computer Center, Great Lakes, Illinois 60088.

Categories of individuals covered by the system:

Registrants of Selective Service System (after 1979).

Categories of records in the system:

Individual Registration Records:

a. Registration Form.

b. Computer tape and microfilm copies containing information provided by registrants on Registration Form.

Authority for maintenance of the system:

Sections 3, 10(b)(3) and 15(b) of the Military Selective Service Act (50 U.S.C. App. 453, 460(b)(3)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Department of Defense—for exchange of information concerning registration, classification, enlistment, examination and induction of individuals and identification of individuals, availability of Standby Reservists, and identification of prospects for recruiting.

Department of Justice—for review and processing of suspected violations of the Military Selective Service Act, or for perjury, and for defense of a civil action arising from administrative processing under such Act.

Federal Bureau of Investigation—for location of an individual when suspected of a violation of the Military Selective Service Act.

Immigration and Naturalization Service—to provide information for use in determining an individual's eligibility for re-entry into the United States.

Department of State—for determination of an alien's eligibility for possible entry into the United States and United States citizenship.

Office of Veteran's Reemployment Rights, United States Department of Labor—to assist veterans in need of information concerning reemployment rights.

Department of Health and Human Services—for locations of parents pursuant to the Child Support Enforcement Act (42 U.S.C. 651 et seq.) and for determining the individual's proper Social Security Account Number when there appears to be a discrepancy.

State and local government agencies-to provide information which may constitute evidence of a violation of State or local law, for law enforcement purposes.

Alternative service employers—for exchange of information with employers regarding a registrant who is a conscientious objector for the purpose of placement and supervision of alternative service in lieu of induction into military service.

General Public—Registrant's Name, Selective Service Number, and Date of Birth.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on microfilm and in the computer system. Microfilm records are indexed by Document Locator Number, which is stored in the computer record.

Retrievability:

The system is indexed by Selective Service Number, but records can be located by searching for specific demographic data.

Safeguards:

Measures that have been taken to prevent unauthorized disclosure of records are:

a. Records are maintained by authorized personnel only, who have been trained in the rules and regulations concerning disclosure of information; offices are locked when authorized personnel are not on duty, and are protected by an electronic security access system at all times.

b. Periodic security checks and other emergency planning.

c. Microfilm records transferred to a Federal Archives and Records Center for storage are boxed and taped; records in transit for temporary custody of another office are sealed.

d. On-line access to RIB from terminals is controlled by User Identification and password. Batch access controlled via standard data processing software and hardware techniques.

Records eligible for destruction are destroyed by maceration, shredding or burning.

Retention and disposal:

Individual Processing Records:

1. Registration Form—Destroyed by maceration when its information has been transferred onto microfilm and into the computer system. Original microfilm is stored at a Federal Archives and Records Center. A microfilm copy is retained at the Data Management Center, in locked steel cabinets. The copies are retained until no longer needed for reference purposes.

2. The record copy of microfilm and computer tape will be retained until registrant reaches 85 years of age.

System manager(s) and address:

Director of Selective Service, Selective Service System, 1023-31st Street, NW., Washington, D.C. 20435.

Record access procedures:

The agency office address to which inquiries should be addressed and the location at which an individual may present a request as to whether the Registrant Registration Records System (after 1979) contains records pertaining to himself is:

Director of Selective Service, Selective Service System, 1023-31st Street, NW., Washington, D.C. 20435, Attn: Records Manager.

It is necessary to furnish the following information in order to identify the individual whose records are requested:

1. Full name of the individual.
2. Selective Service Number or Social Security Number, date of birth and address at time of registration if Selective Service Number is not known.
3. Mailing address to which the reply should be mailed.

Contesting record procedures:

See Access, above.

Record source categories:

Information contained in the Registrant Registration Records System is obtained from the individual.

Systems exempted from certain provisions of the act:

None.

Title 32-National Defense

Chapter XVI-Selective Service System

PART 1665—PRIVACY ACT PROCEDURES

Sec.

1665.1 Rules for determining if an individual is the subject of a record.
1665.2 Requests for access.
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1665.5 Requests for review.
1665.6 Schedule of fees.
1665.7 Information available to the public or to former employers of registrants.
1665.8 Systems of records exempted from certain provisions of this act.

Authority: 5 U.S.C. 552a.

Source: 47 FR 7224, Feb. 18, 1982, unless otherwise noted.

§ 1665.1 Rules for determining if an individual is the subject of a record.

(a) Individuals desiring to know if a specific system of records maintained by the Selective Service System (SSS) contains a record pertaining to them should address their inquiries to the Director, Selective Service System, ATTN: Records Manager, Washington, D.C. 20435. The written inquiry should contain a specific reference to the system of records maintained by Selective Service listed in the SSS Notices of Systems of Records or it should describe the type of record in sufficient detail to reasonably identify the system of records. Notice of SSS Systems of Records subject to the Privacy Act is in the **Federal Register** and copies of the notices will be available upon request to the records manager. A compilation of such notices will also be made and published by the Office of Federal Register, in accord with section 5 U.S.C. 552a(f).

(b) At a minimum, the request should also contain sufficient information to identify the requester in order to allow SSS to determine if there is a record pertaining to that individual in a particular system of records. In instances when the information is insufficient to insure that disclosure will be to the individual to whom the information pertains, in view of the sensitivity of the information, SSS reserves the right to ask the requester for additional identifying information.

(c) Ordinarily the requester will be informed whether the named system of records contains a record pertaining to the requester within 10 days of receipt of such a request (excluding Saturdays, Sundays, and legal federal holidays). Such a response will also contain or reference the procedures which must be followed by the individual making the request in order to gain access to the record.

(d) Whenever a response cannot be made within the 10 days, the records manager will inform the requester of the reason for the delay and the date by which a response may be anticipated.

§ 1665.2 Requests for access.

(a) Requirement for written requests. Individuals desiring to gain access to a record pertaining to them in a system of records maintained by SSS must submit their request in writing in accord with the procedures set forth in paragraph (b) of this section.

(b) *Procedures.*—(1) *Content of the request.* (i) The request for access to a record in a system of records shall be addressed to the records manager, at the address cited above, and shall name the system of records or contain a description of such system of records. The request should state that the request is pursuant to the Privacy Act of 1974. In the absence of specifying solely the Privacy Act of 1974 and, if the request may be processed under both the Freedom of Information Act and the Privacy Act and the request specifies both or neither act, the procedures under the Privacy Act of 1974 will be employed. The individual will be advised that the procedures of the Privacy Act will be utilized, of the existence and the general effect of the Freedom of Information Act, and the difference between procedures under the two acts (e.g. fees, time limits, access). The request should contain necessary information to verify the identity of the requester (see § 1665.2(b)(2)(vi)). In addition, the requester should include any other information which may assist in the rapid identification of the record for which access is being requested (e.g., maiden name, dates of employment, etc.) as well as any other identifying information contained in and required by SSS Notice of Systems of Records.

(ii) If the request for access follows a prior request under § 1665.1, the same identifying information need not be included in the request for access if a reference is made to that prior correspondence, or a copy of the SSS response to that request is attached.

(iii) If the individual specifically desires a copy of the record, the request should so specify.

(2) *SSS action on request.* A request for access will ordinarily be answered within 10 days, except when the records manager determines that access cannot be afforded in that time, in which case the requester will be informed of the reason for the delay and an estimated date by which the request will be answered. Normally access will be granted within 30 days from the date the request was received by the Selective Service System. At a minimum, the answer to the request for access shall include the following:

(i) A statement that there is a record as requested or a statement that there is not a record in the system of records maintained by SSS;

(ii) A statement as to whether access will be granted only by providing copy of the record through the mail; or the address of the location and the date and time at which the record may be examined. In the event the requester is unable to meet the specified date and time, alternative arrangements may be made with the official specified in § 1665.2(b)(1);

(iii) A statement, when appropriate, that examination in person will be the sole means of granting access only when the records manager has determined that it would not unduly impede the requester's right of access;

(iv) The amount of fees charged, if any (see § 1665.6) (Fees are applicable only to requests for copies);

(v) The name, title, and telephone number of the SSS official having operational control over the record; and

(vi) The documentation required by SSS to verify the identity of the requester. At a minimum, SSS's verification standards include the following:

(A) *Current or former SSS employees.* Current or former SSS employees requesting access to a record pertaining to them in a system of records maintained by SSS may, in addition to the other requirements of this section, and at the sole discretion of the official having operational control over the record, have his or her identity verified by visual observation. If the current or former SSS employee cannot be so identified by the official having operational control over the records, identification documentation will be required. Employee identification cards, annuitant identification, drivers licenses, or the "employee copy" of any official personnel document in the record are examples of acceptable identification validation.

(B) *Other than current or former SSS employees.* Individuals other than current or former SSS employees requesting access to a record pertaining to them in a system of records maintained by SSS must produce identification documentation of the type described herein, prior to being granted access. The extent of the identification documentation required will depend on the type of record to be accessed. In most cases, identification verification will be accomplished by the presentation of two forms of identification. Any additional requirements are specified in the system notices published pursuant to 5 U.S.C. 552a(e)(4).

(C) *Access granted by mail.* For records to be accessed by mail, the records manager shall, to the extent possible, establish identity by a comparison of signatures in situations where the data in the record is not so sensitive that unauthorized access could cause harm or embarrassment to the individual to whom they pertain. No identification documentation will be required for the disclosure to the requester of information required to be made available to the public by 5 U.S.C. 552. When in the opinion of the records manager the granting of access through the mail could reasonably be expected to result in harm or embarrassment if disclosed to a person other than the individual to whom the record pertains, a notarized statement of identity or some similar assurance of identity will be required.

(D) *Unavailability of identification documentation.* If an individual is unable to produce adequate identification documentation the individual will be required to sign a statement asserting identity and acknowledging that knowingly or willfully seeking or obtaining access to a record about another person under false pretenses may result in a fine of up to $5,000. In addition, depending upon the sensitivity of the records sought to be accessed, the official having operational control over the records may require such further reasonable assurances as may be considered appropriate e.g., statements of other individuals who can attest to the identity of the requester. No verification of identity will be required of individuals seeking access to records which are otherwise available to any person under 5 U.S.C. 552, Freedom of Information Act.

(E) *Access by the parent of a minor, or legal guardian.* A parent of a minor, upon *presenting suitable personal identification,* may access on behalf of the minor *any record pertaining to the minor* maintained by SSS in a system of records. A legal guardian may similarly act on behalf of an individual declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction. *Absent a court order or consent,* a parent or legal guardian has no absolute right to have access to a record about a child. Minors are not precluded from exercising on their own behalf rights given to them by the Privacy Act.

(F) *Granting access when accompanied by another individual.* When an individual requesting access to his or her record in a system of records maintained by SSS wishes to be accompanied by another individual during the course of the examination of the record, the individual making the request shall submit to the official having operational control of the record, a signed statement authorizing that person access to the record.

(G) *Denial of access for inadequate identification documentation.* If the official having operational control over the records in a system of records maintained by SSS determines that an individual seeking access has not provided sufficient identification documentation to permit access, the official shall consult with the records manager prior to finally denying the individual access.

(H) *Review of decision to deny access.* Whenever the records manager determines, in accordance with the procedures herein, that access cannot be granted the response will also include a statement of the procedures to obtain a review of the decision to deny in accord with § 1665.5.

(vii) *Exceptions.* (A) Nothing in these regulations shall be construed to entitle an individual the right to access to any information compiled in reasonable anticipation of a civil action or proceeding. The mere fact that records in a system of records are frequently the subject of litigation does not bring those systems of records within the scope of this provision. This provision is not intended to preclude access by an individual to the records which are available to that individual under the other processes such as the Freedom of Information Act or the rules of civil procedure.

(B) Within any system of records pertaining to possible violations of the Military Selective Service Act, the identity of or any information pertaining to any individual who provides information relating to a suspected violator will not be revealed to the suspected violator. This exemption is made under the provision of 5 U.S.C. 552a(k)(2).

§ 1665.3 Access to the accounting of disclosures from records.

Rules governing the granting of access to the accounting of disclosure are the same as those for granting accesses to the records (including verification of identity) outlined in § 1665.2.

§ 1665.4 Requests to amend records.

(a) *Requirement for written requests.* Individuals desiring to amend a record that pertains to them in a system of records maintained by SSS must submit their request in writing in accord with the procedures set forth herein. Records not subject to the Privacy Act of 1974 will not be amended in accord with these provisions. However, individuals who believe that such records are inaccurate may bring this to the attention of SSS.

(b) *Procedures.* (1)(i) The requests to amend a record in a system of records shall be addressed to the records manager. Included in the request shall be the name of the system and a brief description of the record proposed for amendment. In the event the request to amend the record is the result of the individual's having gained access to the record in accordance with the provisions concerning access to records as set forth above, copies of previous correspondence between the requester and SSS will serve in lieu of a separate description of the record.

(ii) When the individual's identity has been previously verified pursuant to § 1665.2(b)(2)(vi), further verification of identity is not required as long as the communication does not suggest that a need for verification is present. If the individual's identity has not been previously verified, SSS may require identification validation as described in § 1665.2(b)(2)(vi). Individuals desiring assistance in the preparation of a request to amend a record should contact the records manager at the address cited above.

(iii) The exact portion of the record the individual seeks to have amended should be clearly indicated. If possible, the proposed alternative language should also be set forth, or at a minimum, the facts which the individual believes are not accurate, relevant, timely, or complete should be set forth with such particularity as to permit SSS not only to understand the individual's basis for the request, but also to make an appropriate amendment to the record.

(iv) The request must also set forth the reasons why the individual believes his record is not accurate, relevant, timely, or complete. In order to avoid the retention by SSS of personal information merely to permit verification of records, the burden of persuading SSS to amend a record will be upon the individual. The individual must furnish sufficient facts to persuade the official in charge of the system of the inaccuracy, irrelevancy, timeliness or incompleteness of the record.

(v) Incomplete or inaccurate requests will not be rejected categorically. The individual will be asked to clarify the request as needed.

(2) *SSS action on the request.* To the extent possible, a decision, upon a request to amend a record will be made within 10 days, (excluding Saturdays, Sundays, and legal Federal holidays). The response reflecting the decisions upon a request for amendment will include the following:

(i) The decision of the Selective Service System whether to grant in whole, or deny any part of the request to amend the record.

(ii) The reasons for determination for any portion of the request which is denied.

(iii) The name and address of the official with whom an appeal of the denial may be lodged.

(iv) The name and address of the official designated to assist, as necessary and upon request of, the individual making the request in preparation of the appeal.

(v) A description of the review of the appeal with SSS (see § 1665.5).

(vi) A description of any other procedures which may be required of the individual in order to process the appeal.

(3) If the nature of the request for the correction of the system of records precludes a decision within 10 days, the individual making the request will be informed within 10 days of the extended date for a decision. Such a decision will be issued as soon as it is reasonably possible, normally within 30 days from the receipt of the request (excluding Saturdays, Sundays, and legal Federal holidays) unless unusual circumstances preclude completing action within that time. If the expected completion date for the decision indicated cannot be met, the individual will be advised of the delay of a revised date when the decision may be expected to be completed.

§ 1665.5 Request for review.

(a) Individuals wishing to request a review of the decision by SSS with regard to any initial request to access or amend a record in accord with the provisions of §§ 1665.2 and 1665.4, should submit the request for review in writing and, to the extent possible, include the information specified in § 1665.5(b). Individuals desiring assistance in the preparation of their request for review should contact the records manager at the address provided herein.

(b) The request for review should contain a brief description of the record involved or in lieu thereof, copies of the correspondence from SSS in which the request to access or to amend was denied and also the reasons why the requester believes that access should be granted or the disputed information amended. The request for review should make reference to the information furnished by the individual in support of his claim and the reasons as required by §§ 1665.2 and 1665.4 set forth by SSS in its decision denying access or amendment. Appeals filed without a complete statement by the requester setting forth the reasons for review will, of course, be processed. However, in order to make the appellate process as meaningful as possible, the requester's disagreement should be set forth in an understandable manner. In order to avoid the unnecessary retention of personal information, SSS reserves the right to dispose of the material concerning the request to access or amend a record if no request for review in accord with this section is received by SSS within 180 days of the mailing by SSS of its decision upon an initial request. A request for review received after the 180 day period may, at the discretion of the records manager, be treated as an initial request to access or amend a record.

(c) The request for review should be addressed to the Director of Selective Service.

(d) The Director of Selective Service will inform the requester in writing of the decision on the request for review within 20 days (excluding Saturdays, Sundays, and legal federal holidays) from the date of receipt by SSS of the individual's request for review unless the Director extends the 20 days period for good cause. The extension and the reasons therefor will be sent by SSS to the requester within the initial 20 day period. Such extensions should not be routine and should not normally exceed an additional thirty days. If the decision does not grant in full the request for amendment, the notice of the decision will provide a description of the steps the individual may take to obtain judicial review of such a decision, a statement that the individual may file a concise statement with SSS setting forth the individual's reasons for his disagreement with the decision and the procedures for filing such a statement of disagreement. The Director of Selective Service has the authority to determine the "conciseness" of the statement, taking into account the scope of the disagreement and the complexity of the issues. Upon the filing of a proper, concise statement by the individual, any subsequent disclosure of the information in dispute will be clearly noted so that the fact that the record is disputed is apparent, a copy of the concise statement furnished and a concise statement by SSS setting forth its reasons for not making the requested changes, if SSS chooses to file such a statement. A notation of a dispute is required to be made only if an individual informs the agency of his disagreement with SSS's determination in accord with § 1665.5(a), (b) and (c). A copy of the individual's statement, and if it chooses, SSS's statement will be sent to any prior transferee of the disputed information who is listed on the accounting required by 5 U.S.C. 552a(c). If the reviewing official determines that the record should be amended in accord with the individual's request, SSS will promptly correct the record, advise the individual, and inform previous recipients if an accounting of the disclosure was made pursuant to 5 U.S.C. 552a(c). The notification of correction pertains to information actually disclosed.

§ 1665.6 Schedule of fees.

(a) *Prohibitions against charging fees.* Individuals will not be charged for:

(1) The search and review of the record.

(2) Any copies of the record produced as a necessary part of the process of making the record available for access, or

(3) Any copies of the requested record when it has been determined that access can only be accomplished by providing a copy of the record through the mail.

(4) Where a registrant has been charged under the Military Selective Service Act and must defend himself in a criminal prosecution, or where a registrant submits to induction and thereafter brings habeas corpus proceedings to test the validity of his induction, the Selective Service System will furnish to him, or to any person he may designate, one copy of his Selective Service file free of charge.

(b) *Waiver.* The Director of Selective Service may at no charge, provide copies of a record if it is determined the production of the copies is in the interest of the Government.

(c) *Fee schedule and method of payment.* Fees will be charged as provided below except as provided in paragraphs (a) and (b) of this section.

(1) *Duplication of records.* Records will be duplicated at a rate of $.25 per page.

(2) Fees should be paid in full prior to issuance of requested copies. In the event the requester is in arrears for previous requests, copies will not be provided for any subsequent request until the arrears have been paid in full.

(3) Remittance shall be in the form of cash, a personal check or bank draft drawn on a bank in the United States, or postal money order. Remittances shall be made payable to the order of the Selective Service System and mailed or delivered to the records manager, Selective Service System, Washington, D.C. 20435.

(4) A receipt of fees paid will be given upon request.

§ 1665.7 Information available to the public or to former employers of registrants.

(a) Each area office maintains a classification record which contains the name, Selective Service number, and the current and past classifications for each person assigned to that board. Information in this record may be inspected at the area office at which it is maintained.

(b) Any compensated employee of the Selective Service System may disclose to the former employer of a registrant who is serving in or who has been discharged from the Armed Forces whether the registrant has or has not been discharged and, if discharged, the date thereof, upon reasonable proof that the registrant left a position in the employ of the person requesting such information in order to serve in the Armed Forces.

(c) Whenever an office referred to in this section is closed, the request for information that otherwise would be submitted to it should be submitted to the National Headquarters, Selective Service System, Washington, D.C. 20435.

§ 1665.8 Systems of records exempted from certain provisions of this act.

Pursuant to 5 U.S.C. 552a(k)(2), the Selective Service System will not reveal to the suspected violator the informant's name or other identifying information relating to the informant.

(5 U.S.C. 552a)
[47 FR 24543, Jun.7, 1982]

SMALL BUSINESS ADMINISTRATION

Appendix A

Central Office, 1441 L Street, NW, Washington, D.C. 20416.
Boston Regional Office, 150 Causeway Street—10th Floor, Boston, Ma. 02114.
New York Regional Office, 26 Federal Plaza, Rm. 3214, New York, New York 10007.
Philadelphia Regional Office, Suite 646—West Lobby, One Bala Cynwyd Plaza, 231 St. Asaphs Road, Bala Cynwyd, Pa. 19004
Atlanta Regional Office, 1375 Peachtree Street, NE, Atlanta, Ga. 30309
Chicago Regional Office, Federal Building, 219 South Dearborn Street, Rm. 838, Chicago, Ill. 60604.
Dallas Regional Office, 1720 Regal Row, Regal Park Office Bldg., Suite 230, Dallas, Tex. 74235
Kansas City Regional Office, 911 Walnut Street, 23rd Floor, Kansas City, Mo. 64106
Denver Regional Office, 1405 Curtis Street, 22nd Floor, Executive Tower Bldg., Denver, Colo. 80202
San Francisco Regional Office, 450 Golden Gate Ave., Box 36044, San Francisco, Calif. 94102
Seattle Regional Office, 710 2nd Ave., 5th Floor, Dexter Horton Building, Seattle, Wash. 98104
Boston District Office, 150 Causeway Street, 10th Floor, Boston, Mass. 02114
Augusta District Office, 40 Western Ave., Rm. 512, Federal Bldg., Augusta, Maine 04330
Concord District Office, 55 Pleasant Street, Rm. 213, Concord, N.H. 03301
Hartford District Office, One Financial Plaza, Hartford, Conn. 06103
Montpelier District Office, Federal Bldg., 87 State Street, Rm. 210, Montpelier, Vt. 05602
Providence District Office, 57 Eddy Street, 7th Floor, Providence, R.I. 02903
New York District Office, 26 Federal Plaza, Rm. 3100, New York, N.Y. 10007
Hato Ray District Office, Chardon and Bolivia Streets, P.O. Box 1915, Hato Ray, Puerto Rico 00919
Newark District Office, 970 Broad Street, Rm. 1635, Newark, N.J. 07102
Syracuse District Office, Federal Building—Rm. 1073, 100 South Clinton Street, Syracuse, N.Y. 13202
Philadelphia District Office, 231 St. Asaphs Rd., 1 Bala Cynwyd Plaza, Suite 400—East Lobby, Bala Cynwyd, Pa. 19004
Baltimore District Office, Oxford Bldg., 8600 LaSalle Road, Rm. 630, Towson, Maryland 21204
Clarksburg District Office, 109 North 3rd Street, Rm. 301, Londes Building, Clarksburg, W. Va.
Pittsburgh District Office, Federal Building, 1000 Liberty Ave., Rm. 1401, Pittsburgh, Pa. 15222
Washington District Office, 1030 15th Street, NW, Suite 250, Washington, D.C. 20417
Atlanta District Office, 1720 Peachtree Street, NW, 6th Fl., Atlanta, Ga. 30309
Birmingham District Office, 908 South 20th Street, Rm. 202, Birmingham, Ala. 35205
Charlotte District Office, 230 S. Tryon Street, Charlotte, N.C. 28202
Columbia District Office, 1801 Assembly Street, Rm. 131, Columbia, S.C. 29201
Jackson District Office, Providence Capitol Bldg., Suite 690, 200 E. Pascagoula Street, Jackson, Miss. 39201
Jacksonville District Office, Federal Bldg., 400 West Bay Street, Rm. 261, P.O. Box 35067, Jacksonville, Fla. 32202
Louisville District Office, Federal Bldg., 600 Federal Plaza, Rm. 188, Louisville, Ky. 40202
Miami District Office, 2222 Ponce De Leon Blvd., 5th Floor, Coral Gables, Fla. 33134
Nashville District Office, 404 James Robertson Parkway, Suite 1012, Nashville, Tenn. 37219
Chicago District Office, 219 South Dearborn St., Rm. 437 Federal Building, Chicago, Ill. 60604
Cleveland District Office, 1240 East 9th Street, Rm. 317, Cleveland, Ohio 44199
Columbus District Office, 34 North High Street, Tonti Bldg., Columbus, Ohio 43215
Detroit District Office, 477 Michigan Ave., McNamara Bldg., Detroit, Mich. 48226
Indianapolis District Office, 575 North Pennsylvania Street, Rm. 552 New Fed. Bldg., Indianapolis, Ind. 46204
Madison District Office, 122 West Washington Ave., Rm. 713, Madison, Wis. 53703
Minneapolis District Office, 12 South 6th Street, Plymouth Bldg., Minneapolis, Minn. 55402
Dallas District Office, 1100 Commerce St., Room 3C36, Dallas, Tex. 75242
Albuquerque District Office, 5000 Marble Ave., NE, Patio Plaza Bldg., Albuquerque, NM 86110
Houston District Office, One Allen Ctr., 500 Dallas Street, Houston, Tex 77002
Little Rock District Office, 611 Gaines Street, Suite 900, Little Rock, Ark. 72201
Lubbock District Office, 1205 Texas Ave., 712 Federal Office Bldg. & U.S. Courthouse, Lubbock, Tex. 79401
Lower Rio Grande Valley District Office, 222 East Van Buren Street, Harlingen, Tex 78550
New Orleans District Office, 1001 Howard Ave., Plaza Tower 17th Fl., New Orleans, La. 70113
Oklahoma City District Office, Federal Bldg., 200 NW 5th Street, Suite 670, Oklahoma City, Okla. 73102
San Antonio District Office, 727 E. Durango, Rm. A-513, San Antonio, Tex. 78206
Kansas City District Office, 1150 Grande Ave., 5th Floor, Kansas City, Mo.
Des Moines District Office, New Federal Building, 210 Walnut Street, Rm. 749, Des Moines, Iowa 50309
Omaha District Office, 19 and Farnam Streets, Empire State Building, Omaha, Neb. 68102
St. Louis District Office, Suite 2500, Mercantile Tower, One Mercantile Center, St. Louis, Mo. 63101
Wichita District Office, 110 East Waterman Street, Main Place Bldg, Wichita, Kan. 67202
Denver District Office, 721 19th Street, Rm. 426A, Denver, Colo. 80202
Casper District Office, Federal Bldg., Rm. 4001, 100 East B Street, Casper, Wyo. 82601
Fargo District Office, Federal Bldg., 653 2nd Ave., North, Room 218, Fargo, N. Dak. 58102
Helena District Office, 618 Helena Ave., Helena, Mont. 59601
Salt Lake City District Office, Federal Bldg., 125 South State Street, Rm. 2237, Salt Lake City, Utah 84138
Sioux Falls District Office, National Bank Bldg., 8th and Main Ave., Rm. 402, Sioux Falls, S. Dak. 57102
San Francisco District Office, 211 Main Street, San Francisco, Calif. 94105
Las Vegas District Office, 301 E. Stewart, Las Vegas, Nev. 89101
Honolulu District Office, 1149 Bethel Street, Rm. 308, Honolulu, Hawaii 96813
Los Angeles District Office, 350 S. Figueroa Street, 6th Floor, Los Angeles, Calif. 90071,
Phoenix District Office, 112 North Central Ave., Phoenix, Ariz. 85004
San Diego District Office, 880 Front Street, Federal U.S. Bldg., Rm. 4-S-33, San Diego, Calif. 92188
Seattle District Office, 915 Second Ave., Federal Bldg., Rm. 1744, Seattle, Wash. 98174
Anchorage District Office, 1016 West 6th Ave., Suite 200, Anchorage Legal Center, Anchorage, Alaska 99501
Boise District Office, 216 North 8th St., Rm. 408, Boise, Idaho 83702
Portland District Office, 1220 S.W. Third Ave., Federal Bldg., Portland, Oreg. 97204
Spokane District Office, Court House Bldg., Rm. 651, Spokane, Wash. 99210
Buffalo Branch Office, 111 West Huron Street, Rm. 1311, Federal Bldg. Buffalo, N.Y. 14202
Elmira Branch Office, 180 State Street—Rm. 412, Elmira, N.Y. 14902
Harrisburg Branch Office, 1500 North 2nd Street, Harrisburg, Pa. 17102
Wilkes-Barre Branch Office, Penn Place, 20 N. Pennsylvania Ave., Wilkes-Barre, Pa. 18702
Wilmington Branch Office, 844 King Street, Federal Bldg., Rm. 5207, Wilmington, Del. 19801
Charleston Branch Office, Charleston National Plaza Suite 628, Charleston, W. Va. 25301
Knoxville Branch Office, 502 South Gay St., Rm. 307 Fidelity Bankers Building, Knoxville, Tenn.
Springfield Branch Office, One North, Old State Capital Plaza, Springfield, Ill. 62701

Cincinnati Branch Office, Federal Bldg., 550 Main Street, Cincinnati, Ohio 45202
Marquette Branch Office, 540 W. Kay Ave., Don H. Bottum University Center, Marquette, Mich. 49855
Milwaukee Branch Office, 735 West Wisconsin Ave., Rm. 690, Continental Bank Bldg., Milwaukee, Wis. 53233
El Paso Branch Office, 4100 Rio Bravo, Suite 300, El Paso, Tex. 79901
Corpus Christi Branch Office, 3105 Leopard St., Corpus Christi, Tex. 78408
Rapid City Branch Office, 515 9th Street, Federal Bldg., Rm. 246, Rapid City, S. Dak. 57701
Fresno Branch Office, Federal Bldg., 1130 O Street, Rm. 4015, Fresno, Calif. 93721
Agana Branch Office, Ada Plaza Center Bldg., Agana; Guam 96910
Fairbanks Branch Office, 501 Second Ave., Fairbanks, Alaska
Biloxi Branch Office, 111 Fred Haise Blvd., Gulf Nat. Life Insurance Bldg., 2nd Fl., Biloxi, Miss. 39530

Appendix B

Federal Archives and Records Center, GSA, 380 Trapelo Road, Waltham, MA. 02154
Federal Archives and Records Center, GSA, Military Ocean Terminal, Bldg. 22, Bayonne, NJ 07002
Federal Archives and Records Center, GSA, 5000 Wissahickon Ave., Philadelphia, PA 19114
Federal Records Center, GSA, Naval Supply Depot, Bldg. 308, Mechanicsburg, PA 17055
Washington National Records Center, Washington, D.C. 20409
Federal Archives and Records Center, GSA, 1557 St. Joseph Ave., East Point, GA 30344
Federal Archives and Records Center, GSA, 7358 South Pulaski Road, Chicago, IL 60629
Federal Records Center, GSA, 3150 Bertwynn Drive, Dayton, OH 45439
Federal Archives and Records Center, GSA, 2306 East Banister Road, Kansas City, MO 64131
National Personnel Records Center, GSA, (Civilian Personnel Records), 111 Winnebago Street, St. Louis, MO 63118
Federal Archives and Records Center, GSA, 4900 Hemphill Street, P.O. Box 6216, Fort Worth, TX 76115
Federal Archives and Records Center, GSA, Bldg. 48, Denver Federal Center, Denver, CO 80225
Federal Archives and Records Center, GSA, 1000 Commodore Drive, San Bruno, CA 9066
Federal Archives and Records Center, GSA, 24000 Avila Road, Laguna Niguel, CA 92677
Federal Archives and Records Center, GSA, 6125 Sand Point Way, Seattle, WA 98115

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EEO Pre-Complaint Counseling—SBA110
EEO Complaint Cases—SBA115
Employee Awards—SBA120
Employee Biographical Files—SBA125
Employee Bond Paricipation Files—SBA130
Employee Counseling Program—SBA135
Employee Evaluation and Supervision Files—SBA140
Employee Identification Card Files—SBA145
Employee Suggestions—SBA150
Employee Applications—SBA155
Exit Interviews—SBA160
Finance & Investment Carrer Program—SBA170
Government Drivers' Licenses and Use of Vehicle—SBA180
Grievances and Personnel Practices Appeals—SBA185
Hurricane Agnes Disaster Files—SBA190
Inquiries and Correspondence—SBA195
Legal Work Files on Personnel Problems—SBA205
Lessees of Federally Owned Land on Rivers in Illinois—SBA210
Litigation and Claims File—SBA220
Loan Accounting—SBA225
Loan Activity Reports—SBA230
Loan Case File—SBA235
Loan Closing—SBA240
Loans in Liquidation, Charged-Off or Paid-in-Full—SBA245
Loan Master Files—SBA250
Management Assistance Resource Files—SBA255
Minority Groups—SBA260
Modifications in Loan Accounting—SBA265
Non-Career Employees—SBA270
Notaries Public—SBA275
Occupational Injuries—SBA280
Official Travel Files—SBA285
Outside Employment Files—SBA290
Payroll Files—SBA295
Personnel Benefits Files—SBA300
Personnel Card Index Files—SBA305
Personnel Organization Roster—SBA310
Personnel Security Files—SBA315
Portfolio Reviews—SBA320
Potential Spanish—Surnamed Applicants—SBA325
Power of Attorney Files—SBA330
Problem Loan Work Files—SBA335
Red Cross Blood Program—SBA345
Reports on Minority Employment—SBA350
SCORE Master Files—SBA355
SBA Investigations Files—SBA360
Security & Investigations Referrals—SBA365
Settlement and Compromise—SBA370
Small Business Person Awards—SBA375
Standards of Conduct files—SBA380
Tort Claims—ABA382
Transfer of Loan Records—SBA390
UCC Refiling and Financial Statements Due—SBA395
Union Membership—SBA400
Unofficial Personnel Files—SBA405
Upward Mobility Files—SBA410
Virginia Attorneys—SBA415
Work Progress Reports—SBA420
Federal Personnel Career Administration—SBA425
Executive Inventory Record—SBA430
Executive Development Records—SBA435
Documentation of Supervisory Training—SBA440
Freedom of Information Act and Privacy Act Case Files—SBA445

SBA001

System name:

Accountable Property File—SBA001.

System location:

Central Office, Regional Office in San Francisco, Ca., District Offices in Marshall, Tex. and Oklahoma City, Okla., and Branch Offices in Corpus Christi, Tex., and Cincinnati, Ohio.

Categories of individuals covered by the system:

SBA employees.

Categories of records in the system:

Listing of items processed by employees which are the property of the Small Business Administration, with each employee's signature verifying possession.

Authority for maintenance of the system:

5 U.S.C. 301; 15 U.S.C. 634(b)(6); 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

For Internal Use Only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders or cabinets.

Retrievability:

Records are indexed by employee's name.

Safeguards:

Access to records is generally limited to Office Services personnel.

Retention and disposal:

Records are disposed of 2 years after latest inventory update.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Accountable Officer and employees.

SBA005

System name:

Advisory Council File—SBA005.

System location:

Branch, District, Regional and Central Offices of the Small Business Administration and in Federal Record Centers. See Appendix A for SBA addresses and Appendix B for FRC addresses.

Categories of individuals covered by the system:

Members, past and present, of SBA Advisory Councils. Records are also maintained on those individuals being processed for appointment to the SBA Advisory Councils.

Categories of records in the system:

This system of records contains information relating to members of SBA Advisory Councils and includes political party affiliations, ethnic/minority identification, security status, Congressional clearances, recommendations, appointment notices, address lists and occasionally, biographical data and correspondence.

Authority for maintenance of the system:

U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in the records may be used: To disclose information about an Advisory Council member to the general public. To respond to requests from the National Archives.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, binders and index cards.

Retrievability:

These records are indexed by the Council member or prospective Council member's name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

These records are retained for three years and then forwarded to a Federal Records Center. The FRC retains these records for five years and then offers the records for transfer to the National Archives.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office Records; Regional Director for Regional Office Records; Branch Manager for Branch Office Records; The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom record pertains, Congressional offices, Agency employees, news media, other Advisory Council members, Federal Register.

SBA010

System name:

Applicant Representative Files—SBA010.

System location:

Branch, District, Regional and Central Offices of the SBA. See Appendix A for SBA addresses.

Categories of individuals covered by the system:

Individuals who render services in connection with the preparation of SBA loan applications.

Categories of records in the system:

This system of records contains information relating to applicant representatives including revocation or suspension of representative privilege, type of service performed, amount of compensation charged borrowers and irregularities or complaints.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in the records may be used:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with implementing the statute, or rule, regulation or order issued pursuant thereto.

After final SBA action revoking or suspending the privilege of a representative to appear before the SBA, the relevant records in the system of records may be referred, as a routine use, to other Federal Agencies which deal with the individual as an applicant representative.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving,accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders and in index cards.

Retrievability:

These records are indexed by representative name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

The system of records is retained indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records; Branch Manager for Branch Office records. The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Loan applicants and applications, Agency employees, third party informants, and individual to whom record pertains.

SBA015

System name:

Appraisers List—SBA015.

System location:

District and Branch Offices of the Small Business Administration. See Appendix A for addresses.

Categories of individuals covered by the system:

Individual appraisers.

Categories of records in the system:

This system of records contains information relating to individual appraisers including qualifications, correspondence and, occasionally, notes on performance.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

For internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders and on index cards.

Retrievability:

Records are indexed by appraiser's name.

Safeguards:

Access to and use of these records are limited to those officials whose duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

District Directors, and Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: District Director for District Office records; Branch Manager for Branch Office records; The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom record pertains, or his agent, Agency employees, National Association of Real Estate Appraisers, and published lists of local and regional appraisers.

SBA020

System name:

Auctioneers List—SBA020.

System location:

District and Regional Offices of SBA. See Appendix A for addresses.

Categories of individuals covered by the system:

Individuals who are auctioneers.

Categories of records in the system:

This system of records contains information relating to auctioneers who are interested in conducting sales on behalf of SBA, including categories of property and geographic areas in which the individual auctioneer is qualified and bonded.

Authority for maintenance of the system:

U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, binders and on index cards.

Retrievability:

These records are indexed by auctioneer's name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Regional Director for Regional Office records; District Director for District Office records; The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom record pertains, or his agent, General Services Administration, Loan Files.

SBA025

System name:

Audit Reports—SBA025.

System location:

The Central Office of the Small Business Administration and Federal Record Centers. In some cases, copies are maintained in the District and Branch Offices where the loan was processed. See Appendix A for SBA addresses and Appendix B for FRC addresses.

Categories of individuals covered by the system:

Recipients of Disaster Home Loans.

Categories of records in the system:

This system of records contains detailed investigations of home disaster loan recipients' use of SBA funds. These records also include related correspondence. Such audits are rarely undertaken unless large sums of money are involved.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in the records may be used:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

To provide data to the General Accounting Office for periodic reviews of this Agency.

To provide the Internal Revenue Service, in response to its request, with access to an individual's records to the extent that the information is relevant and necessary to the IRS' function.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders.

Retrievability:

These records are indexed by recipient name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are maintained by SBA for two years after the loan has become inactive and are then transferred to an FRC where they are maintained for five years and then destroyed.

System manager(s) and address:

Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Financial institution reports and records, Agency investigation, individual to whom record pertains.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a (k)(2), all investigatory material in the record compiled for law enforcement purposes is exempt from the notification, access, and contest requirements (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)) of the Agency regulations. This exemption is necessary in order to accomplish the purpose of the Agency in preventing abuse of loan proceeds by recipients, as well as enforcing Agency rules and regulations (pursuant to 15 U.S.C. 634(b)(6) and 15 U.S.C. 645(a)), and preventing subjects of investigations from frustrating the investigatory process.

SBA030

System name:

Automated Personnel History—SBA030.

System location:

SBA Central Office. See Appendix A for address.

Categories of individuals covered by the system:

All SBA employees.

Categories of records in the system:

Current status of all SBA employees including all data pertinent to that status. This system includes name, Social Security number, grade and salary title, organization, education, veterans preference, competitive level, date of birth, handicap code, health benefits, etc. This system includes all personnel actions affecting active SBA employees since May 1972, and also those of separated employees since that date.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

A number of records in this system are sent as a required report to the Civil Service Commission. The General Accounting Office is also given information from this system for audit purposes.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

This system of records is maintained on magnetic tape.

Retrievability:

Records in this system can be retrieved by the employee's name or Social Security number.

Safeguards:

Physical Security—authorized personnel only.

Retention and disposal:

These records form a permanent data bank for the Office of Personnel and are retained indefinitely.

System manager(s) and address:

Privacy Act Officer. See Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer. The address of this office is contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

SF 171 and any other forms an employee completes when coming on-board; Personnel action as recorded on SBA Form 52; Requests for personnel actions; Mass Change Formats; and Award Keypunch Formats.

SBA040

System name:

Boards of Survey—SBA040.

System location:

Central Office, Regional Offices, District Offices. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees and other individuals who have been involved in accidents with government vehicles, or other incidents of loss or damage to government property.

Categories of records in the system:

This system includes the report and supporting material compiled by the Board of Survey in reviewing cases involving loss or damage to government property. These may be claims by or against the government. Cases involving up to 5000 can be handled in the Regional Offices. Cases involving more than 5000 must be referred to the Central Office Board of Survey.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101, 29 U.S.C. 651-78.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the event that a suit is initiated in a court, these records would be referred to the Justice Department and General Services Administration for handling. The records would also be given to the parties in litigation with the Agency and to the court, if necessary in the case.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders.

Retrievability:

Files are indexed by the name of SBA employees or other individuals involved in the case.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Records are maintained indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records. These addresses are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the paragraph above, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individuals involved in the case, witnesses, Agency investigation.

SBA045

System name:

Borrower Insurance Files—SBA045.

System location:

The following District and Branch Offices maintain this system of records: Boise District Office, Casper District Office, Corpus Christi Branch Office, Honolulu District Office, Marshall District Office, New Orleans District Office, Pittsburgh District Office, Salt Lake

City District Office and San Antonio District Office. All other District and Branch Offices maintain this information in the Loan Case File. See Appendix A for addresses.

Categories of individuals covered by the system:

Recipients of Disaster Home Loans.

Categories of records in the system:

This system of records contains information relating to a Disaster Home Loan recipient's hazard insurance and Federal Flood Insurance, wherever applicable. These records include a copy of the insurance policy, a history of premium payments and related correspondence.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in the records may be disclosed in correspondence with a recipient's insurance company as to the status of his policy.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders and index cards.

Retrievability:

These records are indexed by recipient name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

These records are destroyed when the loan becomes inactive.

System manager(s) and address:

District Directors, and Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: District Director for District Office records; Branch Manager for Branch Office records; The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information in the system should direct their requests to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom the record pertains, insurance companies, Housing and Urban Development—Farmers Home Administration.

SBA050

System name:

Career Counseling Files—SBA050.

System location:

San Francisco Regional Office, San Francisco District Office. See addresses in Appendix A.

Categories of individuals covered by the system:

SBA employees.

Categories of records in the system:

This record system includes notes and forms completed during interviews between employees and supervisors regarding career goals and programs.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders.

Retrievability:

Records are indexed by employee name within each division of the office.

Safeguards:

Access to and use of these records is limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Records are retained for a period of time set by agreement between supervisor and employee.

System manager(s) and address:

Regional Director, District Director. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Regional Director for Regional Office records; District Director for District Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Interview between employee and supervisor.

SBA060

System name:

Collateral—SBA060.

System location:

District and Branch Offices of the SBA. See Appendix A for addresses.

Categories of individuals covered by the system:

Recipients of Disaster Home Loans.

Categories of records in the system:

This system of records contains negotiable collateral assigned to the SBA in connection with the award of a disaster home loan. Included in these records are registers of negotiable collateral assigned to SBA, trust receipts, bonds, certificates, mortgages, notes, titles, insurance policies, and agreements of extending deeds of trust.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

To provide data to the General Accounting Office for periodic reviews of this Agency.

To provide the Internal Revenue Service in response to its request with access to an individual's records for an official audit to the extent that the information is relevant and necessary to the IRS' function.

To request information from a Federal, State, or local agency or a private title search agency to determine an applicant's suitability for a loan.

A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course or settlement negotiations.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing,retrieving, ccessing, retaining, ad disposing of records in the system:

Storage:

These records are maintained in file folders, index cards, safety deposit boxes and insulated combination safes.

Retrievability:

These records are indexed by recipient name and/or loan number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

These records are retained until an individual's loan is paid-in-full or charged-off, then disposed.

System manager(s) and address:

District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these officers are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom the record pertains, Agency employees, bank correspondence, State officials, title search companies.

SBA065

System name:

Collection Files—SBA065.

System location:

District, Branch and Central Offices of Small Business Administration and in the Federal Record Centers. See Appendix A for SBA addresses and Appendix B for FRC addresses.

Categories of individuals covered by the system:

Recipients of Disaster Home Loans.

Categories of records in the system:

This system of records contains information relating to SBA collection activities in connection with Disaster Home Loans from the time of the initial disbursement until the loan is either paid-in-full or put in liquidation status. These records include;

SBA Form 573—"Cash Collateral and Abeyance Item Register"

SBA Form 230—"Receipt for Payment"
SBA Form 368—"Collections—Disaster Deferred Participation Loans Purchased."
Default Vouchers
Various documents relating to the receipt and disposition of money remitted, issuances of past due notices and other related material.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in the records may be used:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil , criminal, or regulatory in nature and whether arising by general statute or particular program statute or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

In the event court action arises from loan collection activities, a record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or counsel in the course or settlement negotiations.

To provide data to the General Accounting Office for periodic reviews of this Agency.

To provide the Internal Revenue Service, in response to its request, with access to an individual's records for an official audit to the extent that the information is relevant and necessary to the IRS' function.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when
(a)The agency, or any component thereof; or
(b) Any employee of the agency in his or her official capacity; or
(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or
(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,
is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when
(a) The agency, or any component thereof; or
(b) Any employee of the agency in his or her official capacity; or
(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee, or
(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,
is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained on microfilm, magnetic tape, file folders, receipt books, ledgers, and insulated combination safes.

Retrievability:

These records are indexed by recipient name as well as a cross-referenced loan number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records located in District and Branch Offices are retained for two years after the loan is paid or charged-off and then forwarded to a Federal Records Center where they are destroyed after two years. Records located in the Central Office are retained no more than two years and then either forwarded to a Federal Records Center for four years or sold for salvage.

System manager(s) and address:

Privacy Act Officer, District Directors, Branch Managers, See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom record pertains, Agency employees, banks, and Loan Case File.

SBA070

System name:

Combined Federal Campaign—SBA070.

System location:

SBA Regional Offices in Kansas City, Mo., Boston, Mass., and Chicago, Ill. SBA District Offices in Columbus and Cleveland, Ohio. For the addresses of these offices, see Appendix A.

Categories of individuals covered by the system:

SBA employees.

Categories of records in the system:

This system contains a list of participants and their contributions. A copy of pledge cards, names and addresses of personnel connected with the Combined Federal Campaign, code of charities to which donations were made.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Names and addresses of those employees who are connected with the planning and accomplishments of the fund-raising drive are sometimes released to the media.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when
(a)The agency, or any component thereof; or
(b) Any employee of the agency in his or her official capacity; or
(c) Any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or
(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,
is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when
(a) The agency, or any component thereof; or
(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders or binders, which are usually stored in file cabinets.

Retrievability:

Records are indexed by name, within each fiscal year.

Safeguards:

Records used by authorized persons only, on a need to know basis.

Retention and disposal:

There is no official disposal schedule for these records, they are kept indefinitely.

System manager(s) and address:

Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Regional Director for Regional Office records; District Director for District Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Employee on whom the record is maintained.

SBA080

System name:

Completion Certificate Control Lists—SBA080.

System location:

Central Office, District and Branch Offices of the SBA. See Appendix A for addresses.

Categories of individuals covered by the system:

Recipients of Disaster Home Loans.

Categories of records in the system:

This system of records contains information relating to SBA Form 1018, "Completion Certificate on SBA Disaster Loans." Each disaster loan recipient is required to execute this form when all loan proceeds have been expended. The system of records contains this form along with borrower reminders, past due listings, and verification reports.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained on magnetic tape, file folders, binders and index cards.

Retrievability:

These records are indexed by recipient name as well as a cross-referenced loan number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individuals to whom record pertains, Agency personnel, Loan Case File.

SBA085

System name:

Congressional Hearing Files—SBA085.

System location:

Central Office of the SBA. See Appendix A for the address.

Categories of individuals covered by the system:

SBA employees as well as applicants for, and recipients of, SBA assistance.

Categories of records in the system:

This system of records contains information about individuals in connection with preparation for and attendance at Congressional hearings. These records include data concerning program activities and personnel problems, intra-agency correspondence, investigations and Justice Department reports.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecution of such violation, or charged with enforcing or implementing the statute, or rule, regulation or order, issued pursuant thereto.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders.

Retrievability:

Parts of these records are indexed by an individual's name, and to that extent, are retrievable.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are maintained indefinitely.

System manager(s) and address:

Privacy Act Officer. See Appendix A for the address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer. The address of this office is contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom record pertains, Agency employees, Agency files, Justice Department.

SBA090

System name:

Delinquent Loans—SBA090.

System location:

District and Branch Offices of the Small Business Administration and Federal Record Centers. See Appendix A for SBA addresses and Appendix B for FRC addresses.

Categories of records in the system:

Recipients of disaster home loans whose loans have been classified as delinquent.

Categories of records in the system:

This system of records contains information relative to delinquent disaster home loans. These records consist of monthly printouts of loans 30, 45, and 60 days past due and SBA Forms 1004A and 1004B, the collection notices and records on past due accounts. Included in these records are the number, amount and dates of delinquent payments, the amount of the loan, related correspondence and remarks by the Service Loan Officer.

Authority for maintenance of the system:

5 U.S.C 301, 15 U.S.C 634(b)(6), 44 U.S.C 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders and binders.

Retrievability:

These records are indexed by the name of the recipient.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

The monthly listings are retained for up to one year and then destroyed. The 1004A and 1004B forms are transferred to the loan case file or an FRC if the loan becomes current. If the loan remains past due, these records are transferred to liquidation and retained until the loan is charged-off or paid-in-full and then forwarded to an FRC. Records maintained by a Federal Records Center are destroyed after four years.

System manager(s) and address:

District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her. The District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Agency Collection Activities Branch, individual to whom record pertains, agency personnel.

SBA100

System name:

Disaster Relief Act Printout—SBA100.

System location:

Corpus Christi Branch Office of the SBA. See Appendix A for address.

Categories of individuals covered by the system.

Recipients of Disaster Home Loans in the Corpus Christi area.

Categories of records in the system:

This Computer Printout lists the name and address of borrowers to whom the "forgiveness" provision of the Disaster Relief Act applies.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in a file folder.

Retrievability:

Records are indexed by recipient name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Indefinite retention.

System manager(s) and address:

Branch Manager. See Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Branch Manager for Branch Office records;

The address of this office is contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom record pertains, Agency employees.

SBA105

System name:

Disbursements—SBA105.

System location:

Central District and Branch Offices of the SBA and Federal Record Centers. See Appendix A for SBA addresses and Appendix B for FRC addresses.

Categories of individuals covered by the system:

Recipients of disaster home loans.

Categories of records in the system:

This system of records contains information relating to loan disbursement activities. These records consist of detailed listings of disbursements, SBA Form 191-checks requested, SBA Form 192-checks issued on loan closing and treasury check registers. The information includes amount of the loan, schedule of payments, actual disbursement calendars and overpayments made.

Authority for maintenance of the system:

U.S.C. 301; 15 U.S.C. 634(b)(6); 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in the records may be used;

To provide information to the public when disclosures are warranted.

In communicating with the Treasury Department on disbursement activities.

To provide data to the General Accounting Office for periodic reviews of this Agency.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, register books, and index cards.

Retrievability:

These records are indexed by recipient name and loan number as well as a cross-referenced check control number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

The Central Office maintains these records for three years following the end of the fiscal year whereas the District and Branch Offices maintain the system either for two years or indefinitely. The records are then transferred to an FRC which disposes of them under GAO standards.

System manager(s) and address:

Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office Records; District Director for District Office Records; Branch Manager for Branch Office Records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

The individual to whom the record pertains, Treasury Department, Agency personnel, and Loan Case File.

SBA110

System name:

EEO Pre-Complaint Counseling—SBA110.

System location:

Central Office, Regional Offices, District Offices and Branch Offices. For addresses see Appendix A.

Categories of individuals covered by the system:

SBA employees who have requested counseling regarding discrimination in employment.

Categories of records in the system:

File on each counseling case, compiled by Equal Employment Opportunity Counselor in each office. File may include statements made by the employee being counseled and other persons interviewed, record of attempts to resolve the problem, and EEO Counselor's Report. If a formal complaint is filed after counseling, the EEO Counselor's Report becomes part of the EEO Complaint case.

Authority for maintenance of the system:

5 CFR Part 713, 13 CFR 105.735-5-4

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records are used to report counseling activity to the Civil Service Commission, but such reports do not name the individuals who received counseling.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Files are kept in file folders.

Retrievability:

Records are indexed by the name of the person requesting counseling.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is utilized to prevent unauthorized disclosure.

Retention and disposal:

Some offices dispose of records after the problem is resolved. Others retain the records for a period of years or indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors, and Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Person requesting counseling, other employees, EEO Counselor, and Personnel and employment records.

SBA115

System name:

EEO Complaint Cases—SBA115.

System location:

Central Office. For address see Appendix A.

Categories of individuals covered by the system:

SBA employees who have filed a complaint regarding discrimination in employment.

Categories of records in the system:

Files on each complaint case, compiled by the Office of Equal Employment Opportunity. File may include statements made by the complainant and other persons interviewed. EEO Counselor's Report, other information developed in the investigation of a complaint, notes of attempts to resolve the complaint, report of a hearing, Hearing Examiner's Recommendations, and Agency action on the case. Files also include closed cases.

Authority for maintenance of the system:

5 CFR Part 713, 13 CFR 105.735-5-4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records are used to report complaints to the Civil Service Commission.

In the event that a complaint results in a hearing, records in this system will be used in preparing and presenting the case before a Complaints Examiner designated by the Civil Service Commission.

In the event that a complaint is appealed to the Civil Service Commission, these records will be used by the Appeals Review Board in making a decision on the case.

In the event that a complaint results in a suit in a Federal court, these records will be referred to the Department of Justice and used by that Department to prepare and present the case in court.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Files are maintained in file folders.

Retrievability:

Records are indexed by the name of the person filing a complaint.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Records are kept indefinitely.

System manager(s) and address:

Privacy Act Officer. See Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer, Central Office, at the address listed in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Complainant, Witnesses, Hearing transcript, Complaints Examiner's Recommendation, Agency investigation, Personnel and Employment records.

SBA120

System name:

Employee Awards—SBA120.

System location:

This system is maintained by most SBA Regional and District Offices. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees nominated for and/or receiving awards.

Categories of records in the system:

Narratives on each individual nominated for Civil Servant of the Year, SBA Honor Award nominees, Federal Women's Award nominees, recommendations of supervisors and other supporting documentation submitted to awards boards.

Authority for maintenance of the system:

5 U.S.C. 310, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

List of nominees for the Federal Women's Award are sent to the Civil Service Commission for consideration.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving,accessing, retaining, and disposing of records in the system:

Storage:

These records are kept in file folders which are usually stored in file cabinets.

Retrievability:

Records are indexed by name of employee or title of award.

Safeguards:

Personnel screening information released to authorized persons only.

Retention and disposal:

These records are retained for a period varying from three to five years, then disposed of.

System manager(s) and address:

Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Regional Director for Regional Office records; District Director for District Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Employees, official Personnel folders, supervisors, Civil Service Commission, Department of Labor, other agencies and organizations.

SBA125

System name:

Employee Biographical Files—SBA125.

System location:

Central Office, Regional Offices, District Offices, El Paso Branch Office. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees.

Categories of records in the system:

Records include biographical data such as date of birth, employment history, education, photographs, news clippings and record of public appearances in an official capacity. These files do not necessarily contain information on all SBA employees.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records will be released to news media, other Government agencies, and private groups and organizations for publicity purposes.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders.

Retrievability:

Records are indexed by the name of the employee.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Most offices retain the records as long as the person is employed by SBA.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors, Branch Manager. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Cenetral Office records; Regional Director for Regional Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual on whom record is maintained, Agency personnel records and memoranda, news media.

SBA130

System name:

Employee Bond Participation Files—SBA130.

System location:

Central Office, Regional and District Offices. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees who purchase U.S. Savings Bonds through payroll deduction.

Categories of records in the system:

This record includes the name of an employee purchasing Savings Bonds, address, Social Security number, amount of deduction, bond denomination, names of coowners or beneficiaries, correspondence and other information relating to bonds.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records in this system are referred to the Treasury Department for the purchase of bonds.

These records are reviewed by the General Accounting Office in the course of an audit of the Agency.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made to the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in journals or file folders.

Retrievability:

Records are indexed by employee name or Social Security number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Central Office Files are disposed of after three years or a GAO audit. Other files are kept indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Directors, and District Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for Distict Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Employee Savings Bond Form (SNA 1042), Payroll Master File.

SBA135

System name:

Employee Counseling Program—SBA135.

System location:

SBA Central Office; Denver Regional Office; Boston Regional Office; Wichita, KS District Office. See Appendix A for addresses.

Categories of individuals covered by the system:

Employees who have requested counseling for personal problems and employees designated as counselors.

Categories of records in the system:

Case history documentation relative to problems. Counseling data. Referrals for assistance. Health benefit, compensation or disability processing assistance. Names of employees designated as Employee Counseling Program counselors.

Authority for maintenance of the system:

5 U.S.C. 301; 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Employee Counseling Program records may be used to contact a doctor or other form of assistance for the employee being counseled.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component, ,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are stored in locked file cabinets or in the desk of the Employee Counseling Program counselor.

Retrievability:

Records are indexed either by the name of the counselor or the employee being counseled.

Safeguards:

Records are released to authorized personnel only, on a need to know basis.

Retention and disposal:

Records are maintained indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

SBA employees and their supervisors.

SBA140

System name:

Employee Evaluation and Supervision Files—SBA140.

System location:

Central Office, Regional Offices, District Offices, Branch Offices. For addresses see Appendix A.

Categories of individuals covered by the system:

SBA employees.

Categories of records in the system:

This record contains annual performance ratings, informal incident files on job activities, and other informal information relating to job performance, kept by supervisors.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders.

Retrievability:

Records are indexed by employee name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is utilized to prevent unauthorized disclosure.

Retention and disposal:

Retention varies from one year to indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director, or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Supervisors; Observation, conversation, interviews with employees; Agency Personnel records.

SBA145

System name:

Employee Identification Card Files—SBA145.

System location:

Central Office, Regional Offices, District Offices, Branch Offices. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees.

Categories of records in the system:

These files contain names of employees and the identification card numbers issued to them.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders or card files.

Retrievability:

Records are indexed by employee name or identification card number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is utilized to prevent unauthorized disclosure.

Retention and disposal:

Records are retained until employee terminates service with SBA, or indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director, or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual on whom record is maintained, Agency Personnel records.

SBA150

System name:

Employee Suggestions—SBA150.

System location:

Central Office, Regional Offices, Anchorage District Office, Cleveland District Office, Des Moines District Office. For addresses see Appendix A.

Categories of individuals covered by the system:

SBA employees who have filed suggestions.

Categories of records in the system:

Records include a copy of the suggestion, and information relating to the disposition made of the suggestion.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders.

Retrievability:

Records in the offices listed above are indexed by the name of the person making the suggestion. Suggestion files in other offices are retrievable by date.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Files are kept indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Employee who filed suggestion, Agency personnel who review suggestions.

SBA155

System name:

Employment Applications—SBA155.

System location:

Maintained by individual divisions of the SBA Central, Regional, District, and Branch Offices. See Appendix A for addresses of these offices.

Categories of individuals covered by the system:

Applicants for permanent, part-time, and temporary employment with the SBA.

Categories of records in the system:

This system of records contains letters of introduction, resumes, personal qualifications statements, referrals, references, pre-employment inquiries, job interview records, Civil Service Commission ratings and lists of eligibles.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6); 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The résumés, etc. of those applicants seeking referral assistance are sometimes forwarded to other Federal agencies for possible employment.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are usually stored in folders within file cabinets.

Retrievability:

Records are indexed by applicant's name.

Safeguards:

Information released only to authorized personnel on a need to know basis.

Retention and disposal:

File disposed of after two years.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Applicant to whom the file pertains, Civil Service Commission, and persons who furnish references for applicant.

SBA160

System name:

Exit Interviews—SBA160.

System location:

SBA Regional Offices in Denver, Colorado and in San Francisco, California. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees who resigned.

Categories of records in the system:

A written record of interviews conducted by the Personnel Office to determine why an employee resigned.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records are maintained for internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The records in this system are stored in file cabinets.

Retrievability:

These records are retrieved by the name of the employee.

Safeguards:

Records are released to authorized Agency personnel only.

Retention and disposal:

These records are maintained indefinitely.

System manager(s) and address:

Regional Directors in Denver and San Francisco. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the appropriate Regional Director in either Denver or San Francisco. The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Interviews with employees and supervisors.

SBA170

System name:

Finance & Investment Career Program—SBA170.

System location:

Central Office. Regional Offices. District Offices in Hartford, Connecticut; Lubbock, Texas; Seattle, Washington. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees who have applied for or enrolled in the F & I Career Program.

Categories of records in the system:

This system of records includes application forms, appraisals of the employee's performance and potential, training plans, record of an employee's activities in the program, and correspondence relating to the individual and the program.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be used in communicating with a Union which represents SBA employees, in regard to the Career Program.

Information in these records may be communicated to the Civil Service Commission whenever necessary to implement a Personnel action.

These records may be examined by the General Accounting Office or the Civil Service Commission in the course of a review of the Agency.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders or binders.

Retrievability:

Records are indexed by employee name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Records are kept indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Employees, Supervisors, Agency Personnel records.

SBA180

System name:

Government Drivers' Licenses and Use of Vehicles—SBA180.

System location:

Regional, District and Branch Offices of the SBA. See Appendix A for addresses.

Categories of individuals covered by the system:

Employees authorized to use government vehicles.

Categories of records in the system:

This system of records contains information relating to use of government vehicles. Records include SBA Form 607, "Car Authorizations," applications for government driver's license, accident reports, physical fitness statements and operator's identification card.

Authority for maintenance of the system:

40 U.S.C. 471.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

To supply the General Services Administration and the General Accounting Office with information necessary and relevant to the Agencies' functions.

To request information from State and local police departments to determine an employee's eligibility for a government license.

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course or settlement negotiations.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the Agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders and index cards.

Retrievability:

Records are indexed by employee name.

Safeguards:

Access to and use of these records are limited to those persons whose officials duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Regional Director for Regional Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom record pertains, witnesses to accidents, police records, personnel involved in accidents.

SBA185

System name:

Grievances and Personnel Practices Appeals—SBA185.

System location:

Central Office, Regional Offices, or District Offices where grievances or personnel practices appeals have been filed.

Categories of individuals covered by the system:

SBA employees who have filed grievances under Union grievances procedures or Personnel Practices Appeals Procedures.

Categories of records in the system:

This system includes correspondence, supporting documents, transcripts of hearings, information developed in investigating a grievance or appeal, and other information related to the processing of the grievance or appeal. These cases may be processed under a Union grievance procedure, or procedures established by the Agency pursuant to the Administrator's memorandum of December 9, 1974, to ensure that merit principles and personnel laws and regulations are carried out, where other procedures are not applicable.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101, Collective Bargaining Agreements with Unions which represent SBA employees, SBA Administrator's memorandum of December 9, 1974.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be communicated to the Union pursuant to the grievance procedure.

These records may be reviewed by the Civil Service Commission or used in reporting to the Civil Service Commission on labor-management relations activity.

Records may be disclosed to a Hearings Examiner from outside the Agency, pursuant to established procedures.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by name of the employee filing the grievance or appeal.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual who files grievance or appeal, other employees, Union, Personnel and employment records.

SBA190

System name:

Hurricane Agnes Disaster Files—SBA190.

System location:

Philadelphia Regional Office, Harrisburg Branch Office and Wilkes-Barre Branch Office of SBA. See Appendix A for addresses.

Categories of individuals covered by the system:

Recipients and applicants of SBA Disaster Home Loans, recipients of Pennsylvania State grants.

Categories of records in the system:

This system of records contains information relating to loans applied for and/or issued during the Hurricane Agnes disaster of June 1972. These records include:

Detailed analysis of every SBA disaster loan over 50,000 approved in the Philadelphia Region during the Hurricane Agnes disaster of June 1972,

List of individuals receiving State grants,

List of Mobile Home Loans fully forgiven,

List of borrowers scheduled for liquidation and other information needed to determine eligibility of a borrower for additional funds,

Active disaster accounts containing U.S. Court Order for Restitution for misuse of loan proceeds.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101, 15 U.S.C. 634(b)(6).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

To request information from a Federal, State, or local agency maintaining civil, criminal or other information relevant to determining an applicant's suitability for a loan.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component, is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are indexed by recipient's name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are maintained indefinitely.

System manager(s) and address:

Regional Director, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Regional Director for Regional Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom record pertains, Loan Case Files, Department of Community Affairs (State of Pa.), United States Probation Officer, United States Clerk of Courts, Agency employees.

SBA195

System name:

Inquiries and Correspondence—SBA195.

System location:

Central, District and Branch Offices of the SBA. See Appendix A for addresses.

Categories of individuals covered by the system:

Individuals who have inquired of, or corresponded with, the Small Business Administration, or have been the subject of such inquiry.

Categories of records in the system:

This system of records contains information relating to correspondence and inquiries which are filed by the inquirer's name, and are not filed chronologically. Included in these records are inquiries from members of Congress, borrowers and applicants, and interested members of the public and news media. Also included in this system is information relating to Disaster Home Loan borrowers and applicants, and SBA employees who have been the subject of an inquiry, where such information is filed by the individual's name and not chronologically.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in the records may be used:

To provide information to the public on an approved loan. Such information is limited to the name and address of the recipient, term and rate of the loan and the apportioned amount of the loan for real or personal property loss.

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecution of such violation, or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

To provide data to the General Accounting Office for periodic reviews of the Agency.

To provide information or disclosure to State and Federal agencies, in response to their requests, in connection with the issuance of a grant, loan, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, on magnetic tape, and index cards.

Retrievability:

These records are indexed by individual's name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

These records are retained for no more than three years and then disposed of.

System manager(s) and address:

Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom record pertains, Agency personnel, case files, Congressional correspondence, General Accounting Office.

SBA205

System name:

Legal Work Files on Personnel Problems--SBA205.

System location:

SBA Central. See Appendix A for address.

Categories of individuals covered by the system:

SBA employees.

Categories of records in the system:

These work files include opinions, advice, transcripts, witness statements, etc. maintained by the General Counsel's Office on personnel cases.

Authority for maintenance of the system:

15 U.S.C. 634(b)(6); 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

For internal agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records kept in file folders which are stored in file cabinets.

Retrievability:

Records indexed by employee's name.

Safeguards:

Access limited to those employees in General Counsel's Office involved in these cases.

Retention and disposal:

These work files are kept indefinitely.

System manager(s) and address:

Privacy Act Officer. See Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer.

The address of this office is contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to the records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendments to the information sought.

Record source categories:

Office of Personnel, Third party witnesses.

SBA210

System name:

Lessees of Federally Owned Land on Rivers in Illinois—SBA210.

System location:

Springfield, Illinois Branch Office. See Appendix A for address.

Categories of individuals covered by the system:

Lessees of Federally owned land on rivers in Illinois.

Categories of records in the system:

This system of records contains information as to whether these individuals did or did not obtain SBA loans during the 1973 Federally declared flood disaster.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

For internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in a file folder.

Retrievability:

These records are indexed by lessee name as well as a cross-referenced lot number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

System manager(s) and address:

Branch Manager. See Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Branch Manager in Springfield, Ill.

The address of this office is contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Department of the Army, Corps of Engineers.

SBA220

System name:

Litigation and Claims File—SBA220.

System location:

Central Office, Regional, District and Branch Office, and Federal Records Centers. See Appendix A for SBA addresses and Appendix B for FRC addresses.

Categories of individuals covered by the system:

All Disaster Home Loan recipients and other individuals who are parties to lawsuits or claims involving the SBA.

Categories of records in the system:

This system of records contains information relating to recipients who have been classified as "in litigation" and all individuals involved in claims asserted by or against the Agency. These records include, wherever applicable: Affidavits, briefs, pleadings, depositions and interrogatories, summaries of loan status with entries of progress of litigation, opinions, copies of Department of Justice papers concerning loan cases in litigation, summary foreclosures, chattel lien searches, requests and answers under disclosure of information, modifications of loan terms and conditions, recipients' attorneys' names, amount of liability, narrative report of actual and contingent liabilities and related correspondence.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in the records may be used:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecution of such violation, or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course or settlement negotiations.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use to provide information to another Federal agency, including the Defense Manpower Data Center of the Department of Defense, to conduct computer matching programs for the purpose of identifying and locating the individuals who are receiving federal salaries or federal benefit payments. SBA will make the disclosures to obtain repayments of debts under the provisions of the Debt Collection Act of 1982 by voluntary repayment, or by administrative or salary offset procedures.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, binders and index cards.

Retrievability:

These records are indexed by the name of recipient and claimant.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

The litigation records are maintained by the Central Records Section for one year after the litigation action has been completed and marked "closed". At that time some records may be transferred to the Loan Case File while the remainder are destroyed. Records of claims and Disclosures of Information are maintained indefinitely and Actual and Contingent Liabilities Reports are maintained until the case is resolved, then forwarded to a Federal Records Center which disposes of them according to a GSA schedule.

System manager(s) and address:

Privacy Act Officer, Regional Directors, Dstrict Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records; Branch Manager for Branch Officer records.

The addresses of these officers are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to those records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom the record pertains, Agency personnel, Department of Justice, interviews and correspondence with individuals outside of the Agency, bankruptcy notices, court records, title companies, and Loan Case Files.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a (k)(2) and (k)(5), all investigatory material in the record compiled for law enforcement purposes or for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information is exempt from the notification, access, and contest requirements (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)) of the Agency regulations. This exemption is necessary in order for the Agency legal staff to properly perform its functions.

SBA225

System name:

Loan Accounting--SBA225.

System location:

Central Office of the SBA. See Appendix A for address.

Categories of individuals covered by the system:

Recipients of Disaster Home Loans.

Categories of records in the system:

This system of records lists information necessary for proper accounting of Disaster Home Loans. Included in these records are transaction registers, listings of stop actions and manual freezes, listing of assets and liabilities, and listings of outstanding items in suspense.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and binders.

Retrievability:

Records are indexed by loan number.

Safeguards:

Access to and use of these records are limited to Accounting Operations Division personnel. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

Privacy Act Officer. See Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer. The address of this office is contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom record pertains, Agency employees, Loan Case File.

SBA230

System name:

Loan Activity Reports—SBA230.

System location:

District, Branch and Regional Offices of the Small Business Administration. For addresses, see Appendix A.

Categories of individuals covered by the system:

Applicants for and recipients of Disaster Home Loans.

Categories of records in the system:

This system of records contains information relating to a Disaster Home Loan. Included in this system are lists of loan approval, lists of loans declined, lists of loans cancelled, lists of bank officers, SCORE/ACE volunteers and Advisory Council members receiving loan approval lists, lists of loans in servicing, lists of loans pending, lists of borrowers' Federal tax status, lists of undisbursed approved loans, lists of loan maturing, and lists of disbursed loans. Lists of approved loans contain information relating to the amount of a loan, the term and rate.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Loan activity reports are for internal use, with the exception of loan approval lists. Information contained in a loan approval list may be used:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

To provide data to the General Accounting Office for periodic reviews of this Agency.

To provide the Internal Revenue Service with access to an individual's records for an official audit to the extent that the information is relevant and necessary to the IRS' function.

To provide information to the public on an approved loan. Such information is limited to the name and address of the recipient, term and rate of the loan and the apportioned amount of the loan for real or personal property loss.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, binders and index cards.

Retrievability:

Records are indexed by applicant and recipient name as well as, for approved loans, the loan number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are maintained indefinitely.

System manager(s) and address:

Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Regional Director for Regional Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom record pertains, Agency employees, Loan Case File, and Loan Master Files.

SBA235

System name:

Loan Case File—SBA235.

System location:

All District and Branch Offices and some Regional Offices of the Small Business Administration and in Federal Record Centers. See Appendix A for SBA addresses and Appendix B for FRC addresses.

Categories of individuals covered by the system:

Applicants and recipients of disaster home loans.

Categories of records in the system:

This system of records contains information relating to an individual who has applied for, or is receiving a disaster home loan from the time of the individual's application until the date of payment in full or charge-off if approved; or until the date of an official denial is declined. These records include:

Loan applications and supporting documents
Personal history and financial statements
Credit information
Investigative reports
Appraisers' reports

Correspondence and recommendations of responsible SBA official including approval authorizations
Disbursement amount, term and rate
History of repayments
Collateral and UCC filings
Collection and liquidation activities
Related correspondence
Settlements and compromises
Participating banks

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in the records may be used.

To provide information to the public on an approved loan. Such information is limited to the name and address of the recipient, term and rate of the loan, and the apportioned amount of the loan for real or personal property loss.

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

To request information from a Federal, State or local agency or a private credit agency maintaining civil, criminal or other information relevant to determining an applicant's suitability for a loan.

To provide data to the General Accounting Office for periodic reviews of this Agency.

To provide information or disclose to State and Federal agencies, in response to their requests, in connection with the issuance of a grant, loan, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

To provide the Internal Revenue Service, in response to its request, with access to an individual's records for an official audit to the extent that the information is relevant and necessary to the IRS' function.

A record from this system of records may be disclosed, as a routine use in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of such proceedings or in settlement negotiations.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, binders, and index cards.

Retrievability:

These records are indexed by applicant and recipient name as well as a cross-referenced loan number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records on approved loans are retained for two years after the loan is paid or charged-off and then forwarded to a Federal Records Center where they are destroyed four years later. Records on withdrawn, declined or cancelled applications are retained for two years after notification of final action and are then destroyed.

System manager(s) and address:

Regional Directors, District Directors and Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Regional Director for Regional Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom the record pertains, Agency employees, financial institution reports, law enforcement agencies, and Federal Disaster Assistance Administration.

SBA240

System name:

Loan Closings—SBA240.

System location:

District and Branch Offices of the SBA. See Appendix A for address.

Categories of individuals covered by the system:

Recipients of Disaster Home Loans.

Categories of records in the system:

This system of records lists closing information relating to Disaster Home Loans. Included in these records are closing reports, disbursement status of loan account, expiration of disbursement periods, and other records of disbursement.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, binders, and index cards.

Retrievability:

These records are indexed by recipient name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Files are retained indefinitely.

System manager(s) and address:

District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: District Director for District Office records; Branch manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom record pertains. Agency employees. Loan Case File.

SBA245

System name:

Loans in Liquidation, Charged-Off or Paid-in-Full—SBA245.

System location:

Central Office, District and Branch Offices of the SBA and Federal Records Centers. See Appendix A for SBA addresses and Appendix B for FRC addresses.

Categories of individuals covered by the system:

Recipients of Disaster Home Loans.

Categories of records in the system:

This system of records contains information relating to Disaster Home Loans that have been placed in liquidation status or have been charged-off. These records include information on finances of borrowers, disposition of collateral, how recoveries are applied, comments relative to liquidation status, and date of final charge-off.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in the records may be used:

To provide data to the General Accounting Office for periodic reviews of this Agency.

To provide the Internal Revenue Service, in response to its request, with access to an individual's records for an official audit to the extent that the information is relevant and necessary to the IRS's function.

In the event court action arises from loan collection activities, a record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course or settlement negotiations.

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing of implementing the statute or rule, regulation or order issued pursuant thereto.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, index cards, and magnetic tape.

Retrievability:

These records are indexed by recipient name as well as a cross-referenced loan number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records on a loan in liquidation are retained by the SBA for three years after the case is closed. Except for those cases on which subsequent collection efforts have been made within three years from the date of closing, the records are then transferred to a Federal Records Center, which will dispose of the records after four years.

System manager(s) and address:

Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom the record pertains, Agency employees, financial institution reports, creditors of the individual, auctioneers, U.S. Attorney, SBA Collateral File, SBA Loan Case File.

SBA250

System name:

Loan Master Files—SBA250.

System location:

Central Office of Small Business Administration. See Appendix A for the address.

Categories of individuals covered by the system:

Recipients of Disaster Home Loans.

Categories of records in the system:

This system of records contains information relating to an individual who has received an SBA Disaster Home Loan. Included in these records are: Approval, disbursement, delinquency and bank participation data, modifications of loans, litigation data, and minority code.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in these records may be used: A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of such proceedings or in settlement negotiations.

In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

To provide information or disclose to State and Federal agencies, in response to their requests, in connection with the issuance of a grant, loan or benefit by the requesting agency, or in connection with a review or audit by the other agency. Disclosure will be made only to the extent that the information is relevant and necessary to the requesting agencies' functions.

Disclosure may be made to a consumer reporting agency and to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use to provide information to a collection agency, a court or other adjudicative body, or a local, state or Federal agency, when SBA determines that such referral is appropriate for servicing or collecting the borrower's loan. Such disclosure will only be made if the system or records indicates that the loan is at least 30 days past due or to update a previous disclosure initiated when the loan was at least 30 days past due. Disclosure will only be made if such collection agency, court or other adjudicative body, or a local, state or Federal agency, has authority by contract, statute or regulation to determine liability of the borrower, collect the loan, or offset the debt against money which would otherwise be paid to the borrower.

It shall be a routine use to provide information to another Federal agency, including the Defense Manpower Data Center of the Department of Defense, to conduct computer matching programs for the purpose of identifying and locating delinquent SBA borrowers who are receiving federal salaries or federal benefit payments. Such disclosure will only be made if the system of records indicates that the loan is at least 30 days past due ot to update a previous disclosure initiated when the loan was at least 30 days past due. SBA will make the disclosures to obtain repayments of debts under the provisions of the Debt Collection Act of 1982 by voluntary repayment, or by administrative or salary offset procedures.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained on microfilm, magnetic tape, magnetic disc, and in file cabinets.

Retrievability:

These records are indexed by loan number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Files are maintained indefinitely.

System manager(s) and address:

Privacy Act Officer. See Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer. The address of this office is contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Loan Case File, individual to whom record pertains, Agency employees.

SBA255

System name:

Management Assistance Resource Files—SBA255.

System location:

Central Office, Regional Offices, District Offices, and Branch Offices of the SBA. See Appendix A for addresses.

Categories of individuals covered by the system:

SCORE/ACE volunteers, persons who borrow Management Assistance training materials, Small Business Institute coordinators, and other individuals who are potential speakers, counselors or authors and reviewers for Management Assistance.

Categories of records in the system:

This system of records contains information relating to individuals listed in the above paragraph. These records include biographical sketches of volunteers, correspondence, copies of travel vouchers, files of accomplishments, copies of counseling reports, occasional evaluations of individual volunteers, publications authored, news releases and clipping.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in the records may be used:

To provide SCORE/ACE volunteers with information about an individual SCORE or ACE volunteer.

To provide university coordinators with information about potential speakers at management training sessions.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders, binders, and index cards.

Safeguards:

Access to and use of these records are limited to those Agency personnel and volunteers whose duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are retained, in the case of SCORE volunteers, for three years either after a volunteer withdraws or has his name removed from active participation, and are then destroyed. For all others, files are retained indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records, Regional Directory for Regional Office records, District Directory for District Office records, Branch Manager for Branch Office records. The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom the record pertains, Agency employees, members of SCORE or ACE, news media, educators and universities, professional organizations, civic organizations.

SBA265

System name:

Modifications in Loan Accounting—SBA265.

System location:

Central Office, District and Branch Offices of SBA. See Appendix A for addresses.

Categories of individuals covered by the system:

Recipients of Disaster Home Loans.

Categories of records in the system:

This system of records lists information necessary to keep Loan Case Files up-to-date with changes of borrower's address or loan status, deferments and rejections in payments, and other modifications as contained in SBA Form 327.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

For internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining,and disposing of records in the system:

Storage:

These records are maintained in file folders, binders, and index cards.

Retrievability:

Records are indexed by loan number and name of borrowers.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are retained for no more than two years, then destroyed.

System manager(s) and address:

Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records, District Director for District Office records, Branch Manager for Branch Office records. The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Agency Personnel, individual to whom record pertains, Loan Case File, Financial Institutions.

SBA270

System name:

Non-Career Employees—SBA270.

System location:

Central Office, at address listed in Appendix A.

Categories of individuals covered by the system:

Schedule C (Non-Career) employees or applicants.

Categories of records in the system:

File includes Clearance Requests, Standard Form 171, resumes and other background information on applicants for non-career positions with the SBA.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records is used to respond to requests for information from the White House, and to forward information to the White House.

These records may be examined by the Civil Service Commission or General Accounting Office in reviewing the Agency.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders.

Retrievability:

Retrievable by name of applicant or employee.

Safeguards:

Records are kept in locked filing cabinet. Personnel screening is utilized to prevent unauthorized use.

Retention and disposal:

Files are kept current and are discarded when no longer needed.

System manager(s) and address:

Privacy Act Officer. See Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer at the address contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom record is maintained. White House.

SBA280

System name:

Occupational Injuries—SBA280.

System location:

Central, District, Regional and Branch Offices where injuries have occurred. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees who have been involved in an accident or injured on the job.

Categories of records in the system:

Records include report forms on accidents and injuries, medical reports, medical bills and other information pertinent to the accident or injury.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101, 29 U.S.C. 651-78.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records in this system are used to report accidents and injuries to the Department of Labor.

Records in the system may be used in processing claims for compensation for on-the-job injuries, by the appropriate Agency or a court.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders.

Retrievability:

Records are indexed by the name of the employee.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Files are retained indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Director, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records, Regional Director for Regional Office records, District Director for District Office records, Branch Manager for Branch Office records. The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director, or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting and the proposed amendment to the information sought.

Record source categories:

Employee involved in accident, witnesses, other Agency personnel.

SBA285

System name:

Official Travel Files—SBA285.

System location:

Central Office, at address listed in Appendix A. Federal Records Centers, at addresses listed in Appendix B.

Categories of individuals covered by the system:

SBA employees.

Categories of records in the system:

Files include Travel Vouchers submitted by each employee.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records are reviewed by the General Accounting Office in the course of an audit of the Agency.

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulatory rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecution of such violation, or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.

Disclosure may be made to a consumer reporting agency and to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing,retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders.

Retrievability:

Records are indexed by employee name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is utilized to prevent unauthorized disclosure.

Retention and disposal:

Records are maintained for two years after the end of a fiscal year, or until a GAO audit. Records are then transferred to a Federal Records Center, where they will be disposed of ten years after the end of the fiscal year in which the records were compiled.

System manager(s) and address:

Privacy Act Officer. See Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer, at the address contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act

Officer, will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Travel Vouchers submitted by employees.

SBA290

System name:

Outside Employment Files—SBA290.

System location:

Central Office, Regional Offices, Lubbock District Office. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees who have requested permission to engage in outside employment.

Categories of records in the system:

Records include requests for outside employment, correspondence concerning such requests, and notification of Agency approval or disapproval of outside employment.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders.

Retrievability:

Records are indexed by name of employee.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Director, District Director. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Office for Central Office records, Regional Director for Regional Office records, District Director for District Office records. The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Employee requesting approval of outside employment and other Agency personnel.

SBA295

System name:

Payroll Files—SBA295.

System location:

SBA Central Office. See Appendix A for address.

Categories of individuals covered by the system:

SBA employees, active and inactive.

Categories of records in the system:

Name, Social Security number, employee number, grade, step, and salary; organization, retirement or FICA data as applicable; Federal, State and local tax deductions, as appropriate; savings bond and charity deductions; regular and optional Government life insurance deductions; health insurance deduction and plan or code; cash award data; union dues deductions; allotments, by type and amount; financial institution code and employee account number; leave status and leave data of all types; time and attendance records, including number of regular, overtime, holiday, Sunday, and other hours worked; mailing address; co-owner and/or beneficiary of bonds, marital status and number of dependents; notification of Personnel Actions; unemployment records; register of separations; annual leave restoration; over-payment indebtedness; correspondence from employees concerning payroll problems.

Authority for maintenance of the system:

Title 6, GAO Policy and Procedures Manual, pursuant to 31 U.S.C. 66(a), and sections 112(a) and 113 of the Budget and Accounting Procedures Act of 1950.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this record system may be used:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

To transmit data to U.S. Treasury to effect issuance of paychecks to employees and distribution of pay according to employee directions for savings bonds, allotments, financial institutions, and other authorized purposes.

By the General Accounting Office for audit purposes.

In reporting tax withholding to Internal Revenue Service and appropriate State and local taxing authorities; FICA deductions to the Social Security Administration; dues deductions to labor unions; withholdings for health insurance to insurance carriers and the U.S. Civil Service Commission; charity contribution deductions to agents of charitable institutions; annual W-2 statements to taxing authorities and the individual.

Disclosure may be made to a consumer reporting agency and to a congressional office from the record of an individual in reponse to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Both manual and machine-readable.

Retrievability:

By name and/or employee or Social Security number.

Safeguards:

Physical, technical, and administrative security is maintained, with admission to records storage areas limited to authorized personnel.

Retention and disposal:

Retained on site until after GAO audit, then disposed of, or transferred to Federal Records Storage Centers in accordance with the fiscal records program approved by GAO, as appropriate, or General Record Schedules of GSA.

System manager(s) and address:

Privacy Act Officer. See Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Privacy Act Officer for Central Office records.

The address of this office is contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Subject individuals, supervisors, timekeepers, official personnel records, and IRS.

SBA300

System name:

Personnel Benefits Files—SBA300.

System location:

Cleveland District Office, Casper District Office, Des Moines District Office. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees.

Categories of records in the system:

This record contains information on the enrollment option and carrier number of employees enrolled in Health Insurance and Retirement Plans.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101, 29 U.S.C. 651–78.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records is used in communicating with insurance carriers in regard to employee benefits.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders or card files.

Retrievability:

Records are indexed by employee name.

Safeguards:

Access to and use of these records is limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

District Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the District Director. The address of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information contained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Agency personnel records, individual on whom records are maintained.

SBA305

System name:

Personnel Card Index Files—SBA305.

System location:

Central Office, Regional Offices, District Offices, and Branch Offices. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees.

Categories of records in the system:

This record is kept by each office on its employees. It contains a summary of personnel information, including Social Security number, birthdate, address, telephone number, marital status, employment history, and similar information.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records may be used in responding to inquiries from banks or institutions on employees requesting loans or credit.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept on cards, or on Standard Form 7, "Employee Service Record Card," in Card Files.

Retrievability:

Records are indexed by employee name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Records are retained for ten years after the employee leaves the Agency, then disposed of.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors, and Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Employees on whom records are maintained. Agency Personnel Actions and records.

SBA310

System name:

Personnel Organization Roster—SBA310.

System location:

Maintained at SBA Central Office and at most field offices. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees.

Categories of records in the system:

Employee's name, Social Security number, position title, occupational series, pay plan, grade, step, salary, veteran preference, tenure birth date, date entered Federal Service, and time spent in grade.

Authority for maintenance of the system:

15 U.S.C. 634(b)(6); 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

For internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are copies of a computer listing which are kept in file cabinets or the desk of the responsible employee.

Retrievability:

Records are filed by office, program area, and name.

Safeguards:

Information released only to authorized persons on a need to know basis.

Retention and disposal:

A new listing is generated each month. The Central Office disposes of old copies after three years or upon completion of a Civil Service Commission inspection. Field offices dispose of old monthly copy when new copy is received or periodically, if desired.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Personnel and Payroll Records.

SBA315

System name:

Personnel Security Files—SBA315.

System location:

SBA Central Office and Regional Offices. See Appendix A for addresses.

Categories of individuals covered by the system:

Active and inactive SBA employees.

Categories of records in the system:

This system contains the active and inactive personnel security files, which include the employee's or former employee's name, background information, personnel actions, and Civil Service Commission's full field investigations. Also included in this system are the Civil Service Commission's National Agency checks and the names of those employees in sensitive positions requiring full field investigations.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101, Executive Order 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the investigation or prosecution of such violation's or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

Full field investigation and National Agency checks are returned to the Civil Service Commission when employee becomes inactive.

Records in the active and inactive personnel security files are forwarded to other Federal agencies conducting background checks.

A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of such proceedings or in settlement negotiations.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records may be disclosed to the OPM in accordance with that agency's authority to evaluate Federal personnel management.

Records may be disclosed to the Merit Systems Protection Board in connection with its consideration of appeals of personnel actions.

Records may be disclosed to physicians conducting fitness for duty examinations.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

The active and inactive personnel security files are maintained in rotary diebold power files. CSC National Agency checks are maintained in locked safes.

Retrievability:

Records are retrieved by employee's name.

Safeguards:

Personnel screening. Information released only to authorized persons.

Retention and disposal:

Civil Service Commission National Agency checks are kept until the employee leaves government service and then returned to CSC.

On the separation of an employee from SBA, Security and Investigations Division strips the file and forwards the full field portion of an investigation to the CSC. Remaining information of a nonderogatory nature is destroyed, while derogatory information is kept indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer or Regional Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

SBA employees, SBA Personnel Office, third party witnesses, Civil Service Commission.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a (k)(2) and (k)(5), all investigatory material in the record compiled for law enforcement purposes or for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information is exempt from the notification, access and contest requirements (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f) of the Agency regulations. This exemption is necessary in order to fulfill commitments made to protect the confidentiality of sources and to maintain access to sources necessary in making determinations of suitability for employment.

SBA320

System name:

Portfolio Reviews—SBA320.

System location:

Central Office, District Offices, Branch Offices. For addresses see Appendix A.

Categories of individuals covered by the system:

Recipients of SBA Disaster Home Loans.

Categories of records in the system:

This system consists of reports compiled by the Office of Portfolio Review in the course of reviewing field office handling of all loans. Disaster Home Loans are included in these reviews only occasionally. Central Office files also include line cards prepared with summary information on each loan. Until early 1975 the Portfolio Review Reports contained this information on each loan listed alphabetically. Since that time, loans are no longer listed but are named only when there is a particular problem in the loan handling.

Authority for maintenance of the system:

15 U.S.C. 634(b)(6), 5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records in this system may be examined by the General Accounting Office in the course of a review of the Agency.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders.

Retrievability:

Records are indexed by office. Some information within the records is retrievable by loan name of number.

Safeguards:

Access to and use of these records is limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Reports are retained indefinitely. Line cards in Central Office are retained until the next report, then disposed of.

System manager(s) and address:

Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; District Director for District Office records; Branch Manager for Branch Office records.

The address of these officers are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Office of Portfolio Review, Loan Case Files, SBA personnel, and Field visits to borrowers.

SBA325

System name:

Potential Spanish-Surnamed Applicants—SBA325.

System location:

Denver Regional Office, at address listed in Appendix A.

Categories of individuals covered by the system:

Potential Spanish-surnamed applicants for Federal employment.

Categories of records in the system:

This record includes name, address, phone number, and information on employment of Spanish-surnamed individuals who are potential applicants for SBA employment. This information is used to notify individuals of job openings at the SBA.

Authority for maintenance of the system:

Pub. L. 92-261, Executive Order 11478.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in a card file.

Retrievability:

Records are indexed by the names of individuals.

Safeguards:

Access to and use of these records is limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Records are maintained indefinitely.

System manager(s) and address:

Regional Director. See Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Regional Director at the address contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual on whom record is maintained; organizations who refer applicants.

SBA330

System name:

Power of Attorney Files—SBA330.

System location:

SBA Regional Offices, District Offices in Atlanta, Georgia; Birmingham, Alabama; Charlotte, North Carolina; Columbia, South Carolina; Miami, Florida; Jacksonville, Florida; Louisville, Kentucky; Jackson, Mississippi; and Nashville, Tennessee; Branch Offices in Biloxi, Mississippi and Knoxville, Tennessee. For addresses see Appendix A.

Categories of individuals covered by the system:

Insurance agents who have the authority to execute a surety bond.

Categories of records in the system:

Information in this system of records identifies those individuals who are authorized to execute bonds for surety companies.

Authority for maintenance of the system:

5 U.S.C. 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

For internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by agent's and broker's names.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are retained until the SBA is notified that the authority to execute bonds has been rescinded, at which time the records are destroyed.

System manager(s) and address:

Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Regional Director for Regional Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Surety company for which the agent broker is authorized to execute bonds.

SBA335

System name:

Problem Loan Work Files—SBA335.

System location:

District and Branch Offices of the SBA. See Appendix A for addresses.

Categories of individuals covered by the system:

Recipients of Disaster Home Loans.

Categories of records in the system:

This system of records contains information relating to an individual recipient of a Disaster Home Loan. These records include delinquent accounts, reports of field visits, correspondence and other information pertinent to a problem loan.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the event that a system of records maintained by the Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are indexed by recipient's name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

These records are retained independently of the Loan Case File until the problem is resolved and then are incorporated into the Loan Case File.

System manager(s) and address:

District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Loan Case File, individual to whom record pertains, Agency employees, financial institutions.

SBA345

System name:

Red Cross Blood Program—SBA345.

System location:

Regional Offices, at addresses listed in Appendix A.

Categories of individuals covered by the system:

SBA employees who have donated blood or indicated their willingness to donate blood.

Categories of records in the system:

Record includes name of employee, blood type, and date of last donation of blood.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records will be used in referring individuals to the Red Cross to donate blood.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining and disposing of records in the system:

Storage:

Information is kept in notebooks or on cards.

Retrievability:

In some offices this record is indexed by the employee's name. In other offices it is only indexed by date.

Safeguards:

Access to and use of these records is limited to those persons whose official duties require such access. Personnel screening is utilized to prevent unauthorized disclosure.

Retention and disposal:

Records are kept for one year, then destroyed.

System manager(s) and address:

Regional Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Regional Director. The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director will set forth the procedures for gaining access to the records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual on whom records is maintained.

SBA350

System name:

Reports on Minority Employment—SBA350.

System location:

Central Office, Regional Offices, District Offices. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees.

Categories of records in the system:

This system of records includes computer printouts and other forms of listings of SBA employees, indicating their minority code and sex, and in some cases training and promotions received by them. The records are used to evaluate the Agency's compliance with principles of equal employment opportunity.

Authority for maintenance of the system:

Executive Order 11478, 42 U.S.C. 2000e-1 et seq., 5 CFR Part 713, 13 CFR 105.735-5-4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records are used in compiling reports to the Civil Service Commission.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept on magnetic tape, on cards, or in file folders.

Retrievability:

Information in this system may be indexed by employee name, Social Security Number, or minority code.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Indefinite or until updated.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Personnel records and visual observation to determine minority code.

SBA355

System name:

SCORE Master Files—SBA355.

System location:

Central Office. See Appendix A for the address.

Categories of individuals covered by the system:

Service Corps of Retired Executives and Active Corps of Executives.

Categories of records in the system:

This system of records is a master list of all retired and active executives who volunteer their services to give business counseling to SBA recipients. These records contain information as to personal qualifications and expertise and cases which they have counseled.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained on magnetic tape and in a binder.

Retrievability:

These records are indexed by SCORE and ACE volunteer's name as well as serial number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

The master tape is updated periodically and maintained indefinitely. When a SCORE and ACE volunteer's name is withdrawn from active duty, the record is maintained for three years and is then destroyed.

System manager(s) and address:

Privacy Act Officer, see Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records.

The Address of this office is contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom record pertains, SCORE/ACE registration forms.

SBA 360

System name:

SBA Investigations Files.

System location:

Office of Inspector General (OIG), Investigations Division, Central Office duty stations in the field, and Federal Records Centers (FRC). See Appendix B for FRC addresses and Appendix C for OIG addresses.

Categories of individuals covered by the system:

Applicants for, recipients of and other parties in interest (e.g., guarantors) to SBA disaster loans. Principals and representatives of applicant and recipient businesses and other parties in interest to, as well as governmental entities participating in, the various SBA programs, including all types of direct and guaranteed loans and other guarantee programs, the small business investment company (SBIC) program, the State and local development company program, the section 7(j) assistance program and section 8(a) subcontracting program, as well as other contractors, grantees, and participants in cooperative agreements with SBA. Records are also maintained on the principal SBIC directors and stockholders. In addition, records are maintained on persons who supply information, containing the information supplied; on SBA employees against whom allegations have been made and investigations conducted; and on members of Advisory Councils and the Service Corps of Retired Executives and Association of Career Executives volunteers.

Categories of records in the system:

This system of records contains material gathered or created during the preparation for, conduct of and follow-up on investigations conducted by OIG, as well as other material submitted to or gathered by OIG in the furtherance of its investigative function. These records include Federal Bureau of Investigation (FBI) and other Federal, State, local and foreign regulatory or law enforcement investigative reports and include personal history statements, background character checks, field investigations, arrest and conviction records, parole and probation data, recommendations and related correspondence.

Authority for maintenance of the system:

5 U.S.C. App. I, 15 U.S.C. Chapters 14A and 14B; 44 U.S.C. Sec. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the event that a system of records maintained by this Agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or administrative in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with responsibility for or otherwise involved in investigation or prosecution of such violations or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence in or to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of such proceeding or in settlement negotiations.

These records may be used to provide data to the General Accounting Office for periodic reviews of this Agency.

These records may routinely be disclosed to other Federal agencies, in response to their requests, in connection with the conduct of background checks. Disclosure will be made only to the extent that the information is relevant and necessary to the requesting agencies' function.

These records may be disclosed to Federal, State or local bar associations and other professional regulatory or disciplinary bodies for use in disciplinary proceedings and inquiries preparatory thereto.

These records may be disclosed in response to an inquiry made, at the request of the individual, by a Member of Congress or staff member acting for the Member of Congress.

These records may be disclosed to members of the public under the Freedom of Information Act, 5 U.S.C. 552.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in rotary diebold power files, filing cabinets, file folders, card indexes and word processing equipment.

Retrievability:

These records are indexed by name and cross-referenced to the number of Inspector General files containing related material.

Safeguards:

Information is released only to authorized persons. All filing cabinets are locked.

Retention and disposal:

Following final agency action as the result of an investigation, field investigation records are transferred to the Central Office. At the end of each calender year, investigatory records are screened to remove those records concerning persons about whom no derogatory information has been received for five years or more. These inactive records are microfiched and then sent to an FRC which maintains them for twenty years and then destroys them. Records containing adverse information on SBIC principals are retained for two years and then transferred to FRC, which destroys them after ten years; non-adverse records are retained for one year and then destroyed. Investigation cards containing a condensed report are retained indefinitely. Correspondence records are reviewed annually to assure that they are still essential and are destroyed when found not to be essential. Records concerning case status, maintained on word processing systems, are reviewed annually and purged of outdated records.

System manager(s) and address:

Assistant Inspector General for Investigations. See Appendix C for Central Office address.

Systems exempted from certain provisions of the act:

(1) Pursuant to 5 U.S.C. 552a(j) (2), this system of records is exempt from the application of all provisions of section 552a except sections (b), (c)(1) and (2), (e)(4)(A) through (F), (e)(6), (7), (9), (10), (11), and (i), to the extent that it consists of (A) information complied for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrests, confinement, release, and parole and probation status; (B) information compiled for the purpose of criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; or (C) reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision. This system is exempted in order to maintain the efficacy and integrity of the Office of Inspector General's criminal law enforcement function.

(2) Pursuant to 5 U.S.C. 552a (k)(2) and (k)(5), except as otherwise provided therein, all investigatory material compiled for law enforcement purposes or for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information contained in this system of records is exempt from sections 3(c)(3), (d), (e)(1), (e) (4)(G) through (I), and (f) of the Privacy Act. 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G) through (I) and (f). This exemption is necessary in order to protect the confidentiality of sources of information and to maintain access to sources necessary in making determinations of suitability for employment.

SBA365

System name:

Security & Investigations Referrals—SBA365.

System location:

Regional, District and Branch Offices. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees and applicants and recipients of SBA assistance.

Categories of records in the system:

This system of records contains referrals to Securities & Investigations for investigations and reports of the above individuals in order to determine whether fraudulent activities or misconduct has taken place. This system sometimes includes copies of the completed report by the S & I Division. These records include: Personal statements of any arrests, indictments and convictions-SBA Form 912, allegations of irregularities, informants statements from outside investigative sources, recommendations from the field offices and related correspondence.

Authority for maintenance of the system:

15 U.S.C. 634(b)(6), 15 U.S.C. 645(a), 18 U.S.C. 1001.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of such proceedings or in settlement negotiations.

These records may be used to provide data to the General Accounting Office for periodic reviews of this Agency.

These records may routinely be disclosed to other Federal agencies, in response to their requests, in connection with conducting background checks. Disclosure will be made only to the extent that the information is relevant and necessary to the requesting agencies' function.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders and index cards.

Retrievability:

These records are indexed by the name of the individual to be investigated.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Some offices retain these records for two years and then destroy them, while other offices retain these records until the irregularities are resolved.

System manager(s) and address:

Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Regional Director for Regional Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom the record pertains, Agency personnel, third party informants and the FBI and other investigative Government agencies.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a (k)(2) and (k)(5), all investigatory material in the record compiled for law enforcement purposes or for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information is exempt from the notification, access, and contest requirements (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)) of the Agency regulations. This exemption is necessary in order to fulfill commitments made to protect the confidentiality of sources and to prevent subjects of investigations from frustrating the investigatory process.

SBA370

System name:

Settlement and Compromise—SBA370.

System location:

Central Office, Regional Offices, Miami District Office, Louisville District Office, Birmingham District Office. See Appendix A for addresses.

Categories of individuals covered by the system:

Recipients of SBA Disaster Home Loans.

Categories of records in the system:

Records include listings of loans considered for compromise, case records and financial information relating to compromises of loans, settlement agreements and notices of compromise on loans.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of such proceedings or in settlement negotiations.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders.

Retrievability:

Records are indexed by name of borrower.

Safeguards:

Access to and use of these records are limited to those persons whose duties require such access. Personnel screening is utilized to prevent unauthorized disclosure.

Retention and disposal:

Records are kept indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendments to the information sought.

Record source categories:

Borrowers, Loan Case Files, Agency Compromise Committees, other Agency personnel.

SBA375

System name:

Small Business Person Awards—SBA375.

System location:

Central, Regional and District Offices of the SBA. See Appendix A for addresses.

Categories of individuals covered by the system:

Loan recipient candidates and winners of the Small Business Person of the Year Awards and Community Development Awards.

Categories of records in the system:

This system of records contains information relating to the candidacy and selection of Small Business Person of the Year in SBA District and Regional Offices. These records include applications, biographical summaries, correspondence, recommendations and narratives of business and civic successes. The record of Community Development Awards in the Central Office includes biographical and qualifying information as well as recommendations from SBA field offices.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in the records may be used:

To provide information to the news media for public disclosure of the name, address and biographical statement of the recipients of the awards.

To communicate with officials in State and local government as to the status of a particular candidate.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders.

Retrievability:

These records are retrievable by individual name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records may be retained from one to ten years.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom record pertains, recommendations from various individual sponsors, Advisory Council members, Agency personnel, research publications directories, news media.

SBA380

System name:

Standards of Conduct Files—SBA380.

System location:

SBA Central Office, all Regional Offices, various District Offices. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees.

Categories of records in the system:

Confidential statement of employment and financial interests made by employees Grade 13 and above, and by Grade 12 Branch Managers.

Ad Hoc Committee decisions and memoranda concerning standards of conduct questions used as precedent for later decisions. (Central Office only.)

Correspondence concerning conflicts of interest.

Listing of all SBA employees who have been indicted or convicted in matters involving SBA business.

Authority for maintenance of the system:

13 CFR 105.735 enacted pursuant to the Small Business Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of such proceeding or in settlement negotiations.

Records contained in this system may be forwarded to the Civil Service Commission when requested.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders which are stored in file cabinets or safes.

Retrievability:

Records are retrieved by the name of the employee.

Safeguards:

Access is strictly limited to those employees with a need to use these records in performing their duties.

Retention and disposal:

Files are retained indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Information in the confidential statement of employment and financial interests is collected from the employee himself. Any adverse information could come from other employees or from a member of the general public with specific knowledge of the matter reported.

Systems exempted from certain provisions of the act:

Pursuant to 5 U.S.C. 552a(k)(5), all investigatory material in the record compiled for the purpose of determining suitability, eligibility or qualifications for Federal civilian employment, Federal contracts, or access to classified information is exempt from the notification, access, and contest requirements (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Agency regulations. This exemption is necessary in order to fulfill commitments made to protect the confidentiality of sources and maintain access to sources necessary in making determinations of suitability.

SBA385

System name:

Tort Claims—SBA385.

System location:

Central Office and Federal Records Centers, at addresses listed in Appendices A and B.

Categories of individuals covered by the system:

Government employees and other individuals involved in accidents.

Categories of records in the system:

This record contains reports on accidents which result in tort claims involving the Government.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101, 42 U.S.C. 3211.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the event that a tort claim results in a court suit, these records will be referred to the Department of Justice for handling of the suit and used in the preparation and presentation of the case.

These records are used in reporting on accidents and tort claims to the General Services Administration.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders.

Retrievability:

Records are indexed by the names of persons involved in the accident.

Safeguards:

Records are kept in a locked cabinet. Access to and use of these records is limited to persons whose official duties require such access. Personnel screening is utilized to prevent unauthorized disclosure.

Retention and disposal:

Records are retained for one year, then sent to a Federal Records Center, where they are retained for five years and then destroyed.

System manager(s) and address:

Privacy Act Officer. See Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer. The address is contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individuals involved in accident, witnesses, investigation of the accident.

SBA390

System name:

Transfer of Loan Records—SBA390.

System location:

District and Branch Offices of the Small Business Administration. See Appendix A for addresses.

Categories of individuals covered by the system:

Recipients of Disaster Home Loans.

Categories of records in the system:

This system of records reports the transfer of loan case files from one division of the Small Business Administration to another division, or to the Federal Records Center.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records and information in the records may be used:

To provide information to the Federal Records Center, as needed, to locate a Loan Case File.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by recipient name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Loan Case Files, Agency employees.

SBA395

System name:

UCC Refiling and Financial Statements Due—SBA395.

System location:

District and Branch Offices of the Small Business Administration. See Appendix A for addresses.

Categories of individuals covered by the system:

Recipients of Disaster Home Loans.

Categories of records in the system:

This system of records lists information relating to recipients of Disaster Home Loans. Records include record of due dates for financial statements and expiration dates of UCC lien filings.

Authority for maintenance of the system:

5 U.S.C. 301, 15 U.S.C. 634(b)(6), 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

For internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in file folders and binders.

Retrievability:

Records are indexed by recipient name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal:

Records are retained for no more than three years, then destroyed.

System manager(s) and address:

District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom the record pertains, Agency employees, and Loan Case File.

SBA400

System name:

Union Membership—SBA400.

System location:

Denver Regional Office, Miami District Office, Little Rock District Office, Minneapolis District Office. See Appendix A for addresses.

Categories of individuals covered by the system:

SBA employees who are members of the Union.

Categories of records in the system:

This is a list of employees who are members of the Union or who have signed authorizations for payroll withholding of Union dues.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101, Collective Bargaining Agreement with the Union which represents SBA employees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records in this system might be reviewed by the Civil Service Commission in the course of a personnel management evaluation of the office.

Records may be used in communications with the Union regarding dues withholding or other Union business.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining,and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are alphabetical by the name of the member of the Union or person who has signed a dues withholding authorization.

Safeguards:

Personnel screening is utilized to prevent unauthorized disclosure.

Retention and disposal:

These records are maintained indefinitely.

System manager(s) and address:

Regional Director or District Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Regional Director for regional Office Records; District Director for District Office Records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining him or her, the Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individuals on whom record is maintained, Union, Computer printout on payroll deductions.

SBA405

System name:

Unofficial Personnel Files—SBA405.

System location:

Maintained by individual divisions and branches of the SBA Central Office, as well as all SBA Regional, District, and Branch Offices. For addresses, see Appendix A.

Categories of individuals covered by the system:

SBA employees, both active and separated.

Categories of records in the system:

This system contains a number of records pertaining to an individual's employment at SBA. These records include Time and Attendance cards, authorizations for overtime, records of leave, training requested and attended, travel itineraries and vouchers, copies of Personnel actions, requests for Personnel actions, Position Descriptions, copies of official performance evaluations, copies of letters of commendation and retirement, personal information for use in emergencies.

Authority for maintenance of the system:

5 U.S.C. 301; 15 U.S.C. 634(b)(6); 44 U.S.C. 3101; Title 5, "GAO Policy and Procedures Manual," pursuant to 31 U.S.C. 66(a) and sections 112(a) and 113 of the Budget and Accounting Procedures Act of 1950; 5 U.S.C. 5701–09

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

For internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

These records are maintained in either file folders, binders or card indexes which are located in file cabinets or on the desk of the responsible employee.

Retrievability:

Records are indexed by the employee's name, Social Security number, or other personal identifier.

Safeguards:

Personnel screening—information released to authorized persons on a need to know basis only.

Retention and disposal:

There is no official Agency policy on retention of these records. Most of the records are maintained for up to three years.

System manager(s) and address:

Privacy Act Officer, Regional Director, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records; District Director for District Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Individual to whom the record pertains, SBA Office of Personnel, Supervisor of the respective branch or division, Payroll section of SBA.

SBA410

System name:

Upward Mobility Files—SBA410.

System location:

Central Office, Denver Regional Office, San Francisco Regional Office. For addresses see Appendix A.

Categories of individuals covered by the system:

SBA employees who have applied for jobs within the Agency under the Upward Mobility Program.

Categories of records in the system:

These records include applications of candidates for higher jobs in the Agency, appraisals by supervisors of qualifications of candidate, ratings by Personnel staff, roster of best-qualified candidates.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be communicated to the Union which represents SBA employees.

Information in these records may be given to the Civil Service Commission for the processing of personnel matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are kept in file folders.

Retrievability:

Records are indexed by employee name or job vacancy.

Safeguards:

Access to and use of these records is limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Records are maintained indefinitely.

System manager(s) and address:

Privacy Act Officer, Regional Directors. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; Regional Director for Regional Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer or Regional Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reason for contesting it and the proposed amendment to the information sought.

Record source categories:

Applicants, supervisors of applicants, Agency Personnel Office, Agency officials responsible for selecting applicants.

SBA415

System name:

Virginia Attorneys—SBA415.

System location:

Richmond District Office, at address listed in Appendix A.

Categories of individuals covered by the system:

Attorneys in private practice in Virginia who do title work or SBA work.

Categories of records in the system:

Record contains names and addresses of attorneys and a designation as to whether attorney is approved or unapproved. This record is used as a guide to reliability of attorneys, as to what assurances will be required on title opinions given by these attorneys.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Internal Agency use only.

Disclosure may be made to a congressional office form the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Record is maintained in a loose-leaf notebook.

Retrievability:

List is alphabetical within categories by locality.

Safeguards:

Access to and use of these records is limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal:

Record is updated continuously and retained indefinitely.

System manager(s) and address:

District Director. See Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the District Director, at the address contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Lawyer's Title Company, SBA personnel.

SBA420

System name:

Work Progress Reports—SBA420.

System location:

SBA Central Office. The following SBA District Offices: Providence, RI; Seattle, Wash.; Detroit, Mich.; Birmingham, Ala., Minneapolis, Minn.; Miami, Fla.; Columbus, Ohio; Anchorage, Ak.; Honolulu, Hawaii. The following SBA Branch Offices: Harrisburg, Pa.; Springfield, Ill. Addresses for these offices may be found in Appendix A.

Categories of individuals covered by the system:

SBA employees.

Categories of records in the system:

These records include: Individual work reports showing how an employee's time was expended; Project control sheets; Project status reports; Summary of loan officers' activity; Record of loans processed by loan officers.

Authority for maintenance of the system:

15 U.S.C. 634(b)(6), 5 U.S.C. 301; 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

For internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records maintained in file folders, which are stored in desk drawers or in file cabinets.

Retrievability:

Records are indexed by employee's name.

Safeguards:

Personnel screening. Information released to authorized personnel on a need to know basis.

Retention and disposal:

Records in this system are retained indefinitely.

System manager(s) and address:

Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: Privacy Act Officer for Central Office records; District Director for District Office records; Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Employee on whom the file is maintained, the employee's supervisor, production control clerk.

SBA425

System name:

Federal Personnel Career Administration Program Files—SBA425.

System location:

Central Office.

Categories of individuals covered by the system:

SBA employees.

Categories of records in the system:

Civil Service Commission Standard 171 forms and SBA mobility forms.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101, 15 U.S.C. 634(b)(6).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To provide Program Evaluation Staff with information to help place qualified individuals in appropriate vacancies, and to determine what areas in Personnel need to be stressed in the individual's orientation.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information is maintained in notebooks in locked steel cabinets.

Retrievability:

Records are coded according to grade.

Safeguards:

Information released to authorized personnel on a need to know basis.

Retention and disposal:

Records are maintained until employee leaves the Agency, they destroyed.

System manager(s) and address:

Director of Personnel, Central Office. See Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the manager listed above.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the system manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Forms submitted directly by employees.

SBA430

System name:

Executive Inventory Record—SBA430.

System location:

Central Office.

Categories of individuals covered by the system:

SBA employees at GS-15 to GS-18.

Categories of records in the system:

Executive Inventory Record (Application of Employment).

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101, 15 U.S.C. 634(b)(6).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To provide a system for maintaining records of SF-161's submitted to the Civil Service Commission when considering candidates for supergrade vacancies from Executive Inventory Register. To be used by Employment Divisions and by Civil Service Commission.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information is stored in steel file cabinet.

Retrievability:

Records are listed alphabetically as Executive Inventory Records.

Safeguards:

Information released to authorized personnel only.

Retention and disposal:

Records are maintained until employee leaves the Agency.

System manager(s) and address:

Chief, Employment Division, Central Office. See Appendix A for address.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the manager listed above.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the system manger

best copy available

will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Applicants.

SBA435

System name:

Executive Development Records—SBA435.

System location:

8115 Fenton Street, Silver Spring, Maryland 20910.

Categories of records in the system:

Applicants and participants in the Executive Development Program.

Categories of records in the system:

SBA forms 1063 and 1038, SBA 171, SBA 1075A, miscellaneous forms evaluating assignments, and certificates of training completed.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101, 15 U.S.C. 634(b)(6).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To provide records, back-up information and all pertinent information on participants in SBA Executive Development Program in one place for reference purposes. To be used by members of training, staff, members of The Executive Manpower Resources Board, and their supervisors.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information is maintained in file folders in locked steel cabinet.

Retrievability:

Records are filed alphabetically.

Safeguards:

Files are locked when not in use, and are released to authorized personnel only.

Retention and disposal:

In accordance with SOP- 00-41.

System manager(s) and address:

Chief, Training Division, 8115 Fenton Street, Silver Spring, Maryland 20910.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the manager listed above.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the system manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Primarily from employee completion of Forms 1036 and their supervisors' completion of Form 1037.

SBA440

System name:

Documentation of Supervisory Training—SBA440.

System location:

8115 Fenton Street, Silver Spring, Maryland 20910.

Categories of individuals covered by the system:

Persons occupying first-level supervisory positions in the Agency.

Categories of records in the system:

SBA Form 1138.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101, 15 U.S.C. 634(b)(6).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To determine who must receive training and to plan and schedule such training in order to meet Agency Supervisory training needs. To be used by employee, supervisor, and Office of Personnel.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information is maintained in file folders in steel file cabinet.

Retrievability:

Filed alphabetically by employee name.

Safeguards:

Information released only to authorized personnel on need to know basis.

Retention and disposal:

In accordance with SOP-00-41.

System manager(s) and address:

Chief, Training Division, 8115 Fenton Street, Silver Spring, Maryland 20910.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the manager listed above.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the system manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Primarily from employee completion of Form 1138, and review of their Official Personnel Folder.

SBA445

System name:

Freedom of Information Act and Privacy Act Case Files—SBA445.

System location:

Central Office.

Categories of individuals covered by the system:

Persons who have requested information or filed appeals under either of the Acts.

Authority for maintenance of the system:

5 U.S.C. 301, 44 U.S.C. 3101, 15 U.S.C. 634(b)(6).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To provide a system for maintaining records of initial requests and appeals under the Freedom of Information Act, and of initial requests, requests for amendments to record, and appeals under the Privacy Act. The records are used by the staff of the Freedom of Information and Privacy Act office to review individual cases, and to keep a chronological log so as to comply with statutory time limitations.

It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when

(a)The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its components,

is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

It shall be a routine use of records maintained by this agency to disclose them in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when

(a) The agency, or any component thereof; or

(b) Any employee of the agency in his or her official capacity; or

(c) Any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or

(d) The United States, where the agency determines that litigation is likely to affect the agency or any of its component,

is a party to litigation or has an interest in such litigation, and the agency determines that use of such records is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information is maintained in folders in locked steel cabinet.

Retrievability:

Files are alphabetical by name.

Safeguards:

Information released to authorized personnel only.

Retention and disposal:

Records are maintained indefinitely.

System manager(s) and address:

Freedom of Information and Privacy Act Officer, Small Business Administration, 1441 "L" Street, NW, Washington, D.C. 20416.

Notification procedure:

An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the manager listed above.

Record access procedures:

In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the system manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures:

Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed above, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories:

Most of file consists of correspondence submitted directly to and replies from the Small Business Administration.

Title 13-Business Credit and Assistance

Chapter I-Small Business Administration

PART 102—DISCLOSURE OF INFORMATION AND PRIVACY ACT OF 1974

Sec.

Subpart B—Privacy Act of 1974

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Subpart B—Privacy Act of 1974

Authority: Privacy Act of 1974 (Pub. L. 93-579, 88 Stat. 1896 (5 U.S.C. 552a)).

Source: Rev. 2, Amdt. 1, 40 FR 46280, Oct. 6, 1975, unless otherwise noted.

§ 102.20 Purpose, policy and scope.

This part establishes policy and procedures of the Small Business Administration (SBA) safeguarding an individual against an invasion of personal privacy. Except as otherwise provided by law or regulation issued pursuant thereto SBA officials and employees will:

(a) Permit an individual to determine what records pertaining to him or her are collected, maintained, used, or disseminated by the SBA;

(b) Permit an individual to prevent records, pertaining to him, or her, obtained by SBA for a particular purpose from being used or made available for another purpose without his or her consent;

(c) Permit an individual to gain access to information pertaining to him or her in the SBA records, to have a copy made of all or any portion thereof, and to correct or amend such records;

(d) Collect, maintain, use, or disseminate any record of identifiable personal information in a manner that assures that such action is for a necessary and lawful purpose, that the information is current and accurate for its intended use, and that adequate safeguards are provided to prevent misuse of such information; and

(e) Permit exemptions from the requirements with respect to records provided in 5 U.S.C. 552a (Privacy Act of 1974) only where an important public policy need for such exemption has been determined by specific statutory authority.

§ 102.21 Definitions.

As used in this subpart:

(a) "Agency" means the Small Business Administration (SBA) and includes all of its offices wherever located;

(b) "Employee" means any officer or employee of the Small Business Administration, regardless of his or her grade, status, or place of employment;

(c) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence. This term shall not encompass entrepreneurial enterprises (e.g., sole proprietors, partnerships, corporations, or other forms of business entities);

(d) "Maintain" includes maintain, collect, use, or disseminate;

(e) "Record" means any item, collection, or grouping of information about an individual that is maintained by the Small Business Administration, including, but not limited to, education, financial transactions, medical history, and criminal or employment history and that contains his or her name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger, or voice print or a photograph;

(f) "System of records" means a group of any records under the control of Small Business Administration from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual;

(g) "Statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual; and

(h) "Routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

§ 102.22 Officials responsible for Privacy Act of 1974.

(a) "Program Official" is the Agency official in every field office and major program area responsible for the system or systems of records in his area. Responsibilities of this position include:

(1) Responding to requests for information from individuals and other sources received from Systems Managers.

(2) Discussing records with individuals.

(3) Amending records in cases where amended information is not controversial and does not involve policy decision making.

(4) Informing individuals of any reproduction fees to be charged.

(5) Maintaining appropriate recordkeeping.

(6) Reviewing records for relevance, timeliness, completeness, and accuracy.

(7) Providing Systems Managers with material for required reports and for publication of rules and notices in the **Federal Register**.

(b) "Systems Manager" is the Agency employee in each office responsible for implementing and overseeing this regulation and 5 U.S.C. 552a in his or her office. Responsibilities of this position include:

(1) Acting as initial contact person to individuals seeking access or amendment of their records.

(2) Preparing and forwarding access and amendment forms to the appropriate Program Official.

(3) Discussing with the Program Officials requests for which access or amendment will not be allowed, and making initial Agency decisions on access and amendment.

(4) Collecting information from the Program Official and compiling information required for reports and for publication of rules and notices in the **Federal Register**.

(5) Implementing and administering the records management program within his area of jurisdiction, including training of personnel, keeping required statistical records and making necessary reports.

(d) "Privacy Act Officer" is the Agency official with delegated responsibility for overseeing and implementing 5 U.S.C. 552a and Subpart B of Part 102 of SBA regulations. Responsibilities of this position include:

(1) Developing training programs for agency personnel in the provisions of the Act and the proposed records management procedures for implementation.

(2) Developing materials such as forms, reporting formats, and directives for implementing the Act.

(3) Preparing reports to the Congress, OMB, and the President, and preparing rules and notices for publication in the **Federal Register**.

(4) Approving extensions of review periods.

(5) Monitoring the relevance, accuracy, and completeness of records contained in systems of records.

(6) Reviewing appeals referred by Systems Managers concerning requests for amendment and access to records.

(7) Making final Agency decisions on requests for amendment and access to records.

Disclosures

§ 102.23 General conditions of disclosure.

The Agency shall not disclose any record which is contained in a system of records by any means of communication to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains, unless such disclosure is:

(a) To those employees of the Agency who have a need for the record in the performance of their duties;

(b) Required under 5 U.S.C. 552 (Freedom of Information Act);

(c) For a routine use of the record compatible with the purpose for which it was collected;

(d) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to Title 13, United States Code;

(e) To a recipient who has provided the Agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(f) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the U.S. Government, or for evaluation by the Administrator of General Services or his or her designee to determine whether the record has such value;

(g) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the Privacy Act Officer specifying the particular portion desired and the law enforcement activity for which the record is sought;

(h) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

(i) To either House of Congress, or, to the extent of matter within its jurisdiction, and committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(j) To the Comptroller General, or any of his or her authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(k) Pursuant to the order of a court of competent jurisdiction.

§ 102.24 Information compiled for civil action.

Nothing in these regulations shall allow an individual access to any information compiled by the Agency in reasonable anticipation of a civil action or proceeding. In the event that there should be a question as to whether information should be disclosed pursuant to this section, an opinion shall be obtained from Agency counsel.

§ 102.25 Disclosure of record to person other than the individual to whom it pertains.

(a) Prior to disseminating any record about an individual to any person other than an agency, unless the dissemination is made pursuant to § 102.23(b) of this subpart, the Program Official responsible for the Agency system of records shall make reasonable efforts to assure that such records are accurate, complete, timely, and relevant for Agency purposes.

(b) The Program Official shall make reasonable efforts to serve notice on an individual when any record on such individual is made available to any person under compulsory legal process when such process becomes a public record. When a record is disclosed under compulsory legal process, the Program Official may ask legal counsel for a determination as to whether the issuance of the order is a matter of public record and if counsel so determines, then the Program Official shall notify the individual by mail at his or her last known address. If counsel determines the matter is not of public record, he should request to be advised as to when it becomes public and inform the Program Official so that he may mail the notice at the appropriate time.

§ 102.26 Accounting of disclosures.

(a) With respect to each system of record under Agency control, the Agency will (except for disclosure made under § 102.23 (a) or (b) of this subpart) keep an accurate accounting.

(b) The Program Official shall account for disclosures in the manner defined by Agency guidelines in respect to each system of records under his or her control as follows:

(1) For each disclosure of a record to any person or to another agency made under § 102.23 of this subpart, maintain information consisting of the date, nature, and purpose of each disclosure of a record, and the name and address of the person or agency to whom the disclosure is made;

(2) Retain the accounting at least 5 years or the life of the record, whichever is longer, after the disclosure for which the accounting is made;

(3) Except for disclosures made under § 102.23(g) of this subpart make the accounting under paragraph (a) of this section available to the individual named in the record at his or her request; and

(4) Inform any person or other agency about any correction or notation of dispute made by the Agency in accordance with § 102.30(e) of this subpart of any record that has been disclosed to the person or agency, if an accounting of the disclosure was made.

(c) An annual report will be prepared by the Privacy Officer disclosing all of the above and a copy of this report will be available for inspection in every Agency field office and the Central Office.

Access and Amendment

§ 102.27 Requests by individuals to gain access to records.

(a) Any individual upon request may gain access to his or her record or to any information pertaining to him or her which is contained in any system of records maintained by the Agency, except as otherwise provided by law or regulation. Upon request, a person of his or her own choosing will be permitted to accompany him or her to review the record and have a copy made of all or any portion thereof in a form comprehensible to the individual. The Agency will require, however, a written statement from the individual authorizing discussion of that individual's record in the accompanying person's presence.

(b) The request for access must contain a reasonable description of the Agency system or systems of records sought. The request should be made to the Systems Manager concerned or, if this is not known, to the Privacy Act Officer, Small Business Administration, 1441 L Street NW, Washington, D.C. 20416, who will direct the request to the proper Agency official, or if this cannot be ascertained, inform the individual to make the request more specific.

(c) All such requests for information may be made in writing or on forms which shall be available in all SBA offices and provided free of charge for such purposes. The Systems Manager, after reviewing the request for information, may also request other identification of the individual for verification, such as (1) the employee number, (2) the dates of employment, (3) Disaster Home Loan number, (4) driver's license, (5) Medicare card, (6) a signed statement or (7) any additional information as he deems necessary for conclusive verification. The Systems Manager may request a Social Security Number for individual verification, although access may not be denied for refusal to disclose this number as provided in § 102.32(e). If he is unable to identify the record from the information submitted, he may require additional information. Requests will be honored only after showing, satisfactory to the Systems Manager, that the individual or his representatives has proper authorization.

(d) The Systems Managers in the offices or programs involved will notify the individual requesting disclosure of his or her record or information pertaining to him or her of the time, place and conditions under which the Agency will comply to the extent permitted by law and regulation.

(e) Upon receipt of a request for access to a record the Systems Manager shall promptly, but in any case within ten (10) days (excluding Saturdays, Sundays, and legal public holidays) after date of receipt of the request, notify the individual in writing that the request has been granted or denied. In the event that the request is granted, the notification to the requestor should state: (1) The Agency's determination that, unless requestor objects for good cause, it can grant access to a record only by providing a copy through the mail because it cannot otherwise provide reasonable means for the individual to have access to his or her record in person; or (2) the time and place(s) where the record may be reviewed.

[Rev. 2, Amdt. 1, 40 FR 46280, Oct. 6, 1975, as amended by Amdt. 5, 41 FR 43711, Oct. 4, 1976]

§ 102.28 Appeal to Privacy Act Officer.

(a) Any individual who disagrees with the initial Agency decision to deny access to his or her record may request a review of such refusal by addressing his or her written request to the Privacy Act Officer. All such requests for appeal should be submitted within thirty (30) days of the date of denial, or within ninety (90) days of such request if the appeal is from a failure to make a determination. Requests should specify the reasons for said review and shall be accompanied by affidavits, statements or such other supporting material as the individual feels necessary to justify his or her appeal.

(b) The Privacy Act Officer shall consider the decision of the Systems Manager together with the material submitted by the requesting individual. The Privacy Act Officer may also examine any other materials which he or she may consider relevant. He or she may call upon the Office of General Counsel for a legal opinion and any other Agency or program official who might have specialized knowledge in the pertinent area. In conducting the appeal, the Privacy Act Officer should follow the criteria for access to records specified in 5 U.S.C. 552a and SBA regulations.

(c) The Privacy Act Officer shall, not later than thirty (30) days (excluding Saturdays, Sundays, and legal public holidays) from the date on which the individual requests such review, complete such review and make a final Agency determination unless, for good cause shown, the Privacy Act Officer extends such thirty (30) day period.

(d) In the event that the Privacy Act Officer extends the period he or she shall inform the individual of the extension and notify the individual of the date on which he or she can expect a decision. If, after his or her review, the Privacy Act Officer also refuses to grant access to the record, he or she shall notify the individual of the reason for denial and the provisions for judicial review of the Agency determination.

§ 102.29 Requests for correction or amendment to record.

(a) Any individual may request the Agency to amend a record pertaining to him or her. The request should be made to the Systems Manager concerned or, if this is not known, to the Privacy Act Officer, Small Business Administration, 1441 "L" Street NW., Washington, D.C. 20416.

(b) All requests by an individual to amend a record shall be made in writing, to the Systems Manager, with supporting documentation as may be necessary, and preferably on forms provided by the Agency. The Systems Manager shall not later than ten (10) days (excluding Saturdays, Sundays, and legal public holidays) after the date of receipt of such request to amend a record, acknowledge in writing such receipt. The Systems Manager shall promptly:

(1) Make any correction of any portion thereof which the individual believes is not accurate, relevant, timely or complete; or

(2) Inform the individual of the Agency's initial refusal to amend the record in accordance with the request, the reason for the refusal and the name and address of the Privacy Act Officer to whom the individual may appeal the decision.

(c) Systems Managers shall, upon request by individuals seeking to have a record pertaining to them amended, give advice as to the procedures to be followed hereunder.

(d) Systems Managers shall, if the request for amendment has been granted, send an amended copy of the record to prior recipients of the record.

[Rev. 2, Amdt. 1, 40 FR 46280, Oct. 6, 1975, as amended by Amdt. 5, 41 FR 43711, Oct. 4, 1976]

§ 102.30 Appeal of initial Agency determination on correction or amendment of a record.

(a) Any individual who disagrees with the refusal of the Systems Manager to amend his or her record may request a review of such refusal by addressing his or her written request to the Privacy Act Officer. All such requests for appeal should be submitted within thirty (30) days of the date of denial, or within ninety (90) days of such request if the appeal is from a failure to make a determination. Requests should specify the reasons for said review and shall be accompanied by affidavits, statements or such other supporting material as the individual feels necessary to justify his or her appeal.

(b) The Privacy Act Officer shall consider the initial decision of the Systems Manager and the material submitted by the requesting individual, together with any and all other materials which he or she may consider relevant. He or she may call upon the Office of General Counsel for a legal opinion and any other Agency or program official who might have specialized knowledge in the pertinent area, to aid in the decision. In conducting the appeal, the Privacy Act Officer shall use the criteria of accuracy, relevance, timeliness, and completeness of the record. The Privacy Act Officer may, at his or her option, seek such additional information as is deemed necessary to satisfy those criteria, i.e., to establish that the record contains only that information which is necessary, accurate, and complete to assure fairness in any determination which may be made about the individual on the basis of the record. With respect to requests to delete information contained in an Agency file, the Privacy Act Officer should follow the same criteria as above, namely, that the information in the file must be only that which is relevant and necessary to accomplish the purpose of the Agency required to be accomplished by law or regulation.

(c) The Privacy Act Officer shall, not later than thirty (30) days (excluding Saturdays, Sundays, and legal public holidays) from the date on which the individual requests such review, complete such review and make a final Agency determination unless, for good cause shown, the Privacy Act Officer extends such thirty (30) day period. The Privacy Act Officer should not extend the time hereunder unless "unusual circumstances" are found to exist.

(d) In the event that the Privacy Act Officer extends the period, he or she shall inform the individual of the extension and notify him or her of the date on which a decision can be expected. If, after his or her review, the Privacy Act Officer also refuses to amend the record in accordance with the request, he or she shall permit the individual to file with the Agency a concise statement setting forth the reasons for his or her disagreement with the refusal of the Agency, and notify the individual of the provisions for judicial review of the Agency determination.

(e) In any subsequent disclosure, containing information about which an individual has filed a statement of disagreement with an Agency refusal to amend a record, the Agency shall clearly note any portion of the record which is disputed and provide copies of the statement of disagreement and, if the Privacy Act Officer deems it appropriate, copies of a concise statement of the reasons of the Agency for not making the Amendments requested, to persons or other agencies to whom the disputed record has been disclosed.

(f) In the event that an individual has filed a statement of disagreement with an Agency refusal to amend a record, the Agency shall clearly note any portion of the record which is disputed and provide copies of the statement of disagreement and, if the Privacy Act Officer deems it appropriate, copies of a concise statement of the reasons of the Agency for not making amendments requested, to prior recipients of the disputed record.

[Rev. 2, Amdt. 1, 40 FR 46280, Oct. 6, 1975, as amended by Amdt. 5, 41 FR 43712, Oct. 4, 1976]

Miscellaneous

§ 102.31 Maintenance of records of SBA.

(a) The Privacy Act Officer shall be responsible to see that the Agency:

(1) Maintains in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the Agency required to be accomplished by statute or by Executive Order of the President;

(2) Collects information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privileges under Federal programs;

(3) Informs each individual whom it asks to supply information, on the form which it uses to collect the information or on a separate form that can be retained by the individual:

(i) The authority (whether granted by statute, or by Executive Order of the President) which authorizes the solicitation of the information and whether disclosure of such information is mandatory or voluntary;

(ii) The principal purpose or purposes for which the information is intended to be used;

(iii) The routine uses which may be made of the information, as published pursuant to 5 U.S.C. 552a; and

(iv) The effects on him or her, if any, of not providing all or any part of the requested information;

(4) Publishes in the **Federal Register** at least annually a notice of the existence and character of the system of records, which notice shall include:

(i) The name and location of the system;

(ii) The categories of individuals on whom records are maintained in the system;

(iii) The categories of records maintained in the system;

(iv) Each routine use of the records contained in the system, including the categories of users and the purpose of such use;

(v) The policies and practices of the Agency regarding storage, retrievability, access controls, retention, and disposal of the records;

(vi) The title and business address of the Agency official who is responsible for the system of records;

(vii) The Agency procedures whereby an individual can be notified at his request if the system of records contains a record pertaining to him;

(viii) The Agency procedures whereby an individual can be notified at his request how he or she can gain access to any record pertaining to him or her contained in the system of records, and how he or she can contest its content; and

(ix) The categories of sources of records in the system.

(b) The Privacy Act Officer shall, in addition to his other duties hereunder;

(1) Establish rules of conduct for persons involved in the design, development, operation, or maintenance of any system of records, or in maintaining any record, and instruct each such person with respect to such rules and procedures adopted pursuant to this subpart and the penalties for noncompliance;

(2) Establish appropriate administrative, technical, and physical safeguards to insure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom information is maintained; and

(3) At least thirty (30) days prior to publication of information under paragraph (a)(4) of this section publish in the **Federal Register** notice of any new use or intended use of the information in the system, and provide an opportunity for interested persons to submit written data, views, or arguments to the Agency; and

(4) Maintain all records which are used by the Agency in making any determination about any individual with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual.

(c) The Systems Managers shall be responsible for seeing that their office maintains no record describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity. The exercise of these rights includes, but is not limited to, religious and political beliefs, freedom of speech and the press, and freedom of assembly and to petition.

§ 102.32 Other provisions.

(a) *Personnel Records.* All Agency personnel records and files, as prescribed by the Civil Service Commission, shall be maintained in such a way that the privacy of all individuals concerned is protected in accordance with regulations of the Civil

Service Commission (5 CFR Parts 293 and 297).

(b) *Systems Operated by Contract.* In the event that the Agency shall provide by a contract for the operation by or on behalf of the Agency of a system of records to accomplish an Agency function, the Agency shall, consistent with its authority, cause the requirements of this subpart to be applied to such system. Any such contractor and any employee of such contractor, if such contract is agreed to on or after the effective date of this regulation, shall be considered to be an employee of the Agency for the purposes of this regulation.

(c) *Mailing List.* The Agency will not sell or rent an individual's name or address. This provision shall not be construed to require the withholding of names or addresses otherwise permitted to be made public.

(d) *Changes in Systems.* The Agency shall provide adequate advance notice to Congress and the Office of Management and Budget of any proposal to establish or alter any system of records in order to permit an evaluation of the probable or potential effect of such proposal on the privacy and other personal or property rights of individuals or the disclosure of information relating to such individuals, and its effect on the preservation of the constitutional principles of federalism and separation of powers.

(e) *Social Security Numbers.* The Agency shall not, henceforth, require any individual to disclose his or her social security account number and shall not deny to any individual any right, benefit, or privilege provided by law because of his or her refusal to so disclose. Any Agency request for an individual to disclose his or her social security account number shall inform that individual that disclosure is voluntary, by what statutory or other authority such number is solicited, and what uses will be made of it.

(f) *Disclosure to Representative.* Upon request, personnel records of an employee or former employee, shall be disclosed to the individual to whom the record pertains and under whose individual name and/or identifier they are filed. A person of his or her own choosing may accompany the individual when the record is disclosed, or the record may be released to the individual's representative who has the notarized written consent of the employee or former employee. Any disclosure of original records must be made in the presence of a representative of the Agency having physical custody of the records. (See 5 CFR 297.111 (a)).

(g) *Representatives of Minors and Incompetents.* For the purpose of Subpart B of this Part 102, the parent of any minor, or the legal guardian of any individual who has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, may act on behalf of the individual.

(h) *Medical Records.* Medical records shall be disclosed to the individual to whom they pertain unless, in the judgment of the Privacy Act Officer, access to such record could have an adverse effect upon such individual. The Agency may, however, transmit such information to a medical doctor named by the requesting individual. In regard to medical records in personnel files, see also 5 CFR 297.111(a)(1).

§ 102.33 Fees.

(a) The Agency shall charge no fee for providing the first copy of a record or any portion thereof to an individual requesting disclosure of information filed in his or her personnel records. (5 CFR 297.115).

(b) For all other copies of records made pursuant to this regulation, the Agency will not charge for the cost of any search for and review of the record and when the Agency makes a copy of a record as a necessary part of its process of making the record available for review, but may charge for all other reproduction at ten cents per page.

(c) Fees will be waived when less than $5.

§ 102.34 General exemptions.

(a) *Systems of records affected.* Under the general exemption provisions of 5 U.S.C. 552a(j)(2), the Administrator of SBA is authorized to exempt the following system of records from all provisions of the Privacy Act of 1974 except subsections (b); (c) (1) and (2); (e)(4) (A) through (F); (e) (6), (7), (9), (10), and (11); and (i) of the Act:

SBA Investigation Files—SBA 360, a system of records maintained by the Investigations Division of the Office of Inspector General (OIG), which primarily consists of information compiled for the purpose of criminal investigations conducted by OIG and associated with identifiable individuals.

(b) *Scope of exemption.* The system of records listed in § 102.34(a) is exempt pursuant to 5 U.S.C. 552a(j)(2) to the extent that information in this system consists of:

(1) Information compiled for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrests, confinement, release, and parole and probation status;

(2) Information compiled for the purpose of criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; or

(3) Reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision.

(c) *Reasons for exemption.* Since the Investigations Division of the OIG is a component of SBA which performs as its principal function activities pertaining to the enforcement of criminal laws within the meaning of 5 U.S.C. 552a(j)(2), the system of records described in § 102.34(a) is exempt for one or more of the following reasons:

(1) To prevent the subjects of OIG investigations from using the Privacy Act to frustrate the investigative process.

(2) To protect the identity of Federal employees who furnish a complaint or information to the OIG, consistent with section 7(b) of the Inspector General Act of 1978, 5 U.S.C. App. I.

(3) To protect the confidentiality of other sources of information.

(4) To avoid endangering confidential sources and law enforcement personnel.

(5) To prevent interference with law enforcement proceedings.

(6) To assure access to sources of confidential information, including that contained in Federal, State and local criminal law enforcement information systems.

(7) To prevent the disclosure of investigative techniques.

(8) To prevent the disclosure of classified information.

[49 FR 29944, July 25, 1984; as amended at 49 FR 31660, Aug. 8, 1984]

§ 180.36 Specific exemptions.

(a)*Systems of records subject to investigatory material exemption under 5 U.S.C. 552a(k)(2), or 5 U.S.C. 552a(k)(5), or both*–(1)*Audit Reports–SBA 025,* a system containing investigations concerning the use of funds by recipients of disaster home loans;

(2)*Litigation and Claims File–SBA 220,* a system containing information concerning recipients of disaster home loans and other individuals who are parties to lawsuits or claims involving SBA;

(3)*Personnel Security Files–SBA 315,* a system containing background information on active and inactive SBA employees;

(4)*Security and Investigations Files–SBA 360,* a system which contains information on individuals seeking or receiving SBA assistance, individuals involved in businesses or receiving such assistnce, representatives of applicants for SBA assistance, members of advisory councils, and SCORE/ACE volunteers;

(5)*Security and Investigation Referrals–SBA 365.* a system containing information relating to referrals for investigation of possible misconduct by SBA employees, and individuals involved in seeking or obtaining SBA assistance; and

(6)*Standards of Conduct Files–SBA 380,* a system containing information concerning outside employment and financial interests of SBA employees, conduct of SBA employees, and related matters.

(b)*Privacy Act provisions from which exempt.*The systems of records described in this section are exempt from subsections (c)(3) (Accounting of Certain Disclosures), (d)(Access to Records), (e)(1), 4G, H, and I (Agency Requirements), and (f) (Agency Rules) of 5 U.S.C. 552a.

(c)*Reasons for exemptions.* The systems of records described in this section are exempt for one or more of the following reasons:

(1) To prevent the subject of investigations from frustrating the investigatory process.

(2) To protect investigatory material compiled for law enforcement purposes.

(3) To fulfill commitments made to protect the confidentiality of sources and to maintain access to necessary sources of information.

(4) To prevent interference with law enforcement proceedings.

[41 FR 43712, Oct. 4, 1976]

§ 102.36 Judicial review.

Any individual may bring a civil action against the Agency in a district court of the United States as provided by 5 U.S.C. 552a(g)(1) whenever the Small Business Administration:

(a) Makes a final determination under § 102.30 not to amend an individual's record in accordance with his or her request, or fails to make such review in conformity with that section;

(b) Makes a final determination under § 102.27 to refuse a request to gain access to a record;

(c) Fails to maintain any record concerning any individual with such accuracy, relevance, timeliness, and completeness as is necessary to assure fairness in any determination relating to the qualifications, character, rights, or opportunities of, or benefits to the individual that may be made on the basis of such record, and consequently a determination is made which is adverse to the individual; or

(d) Fails to comply under any other provision of 5 U.S.C. 552a or any Agency rule or regulation promulgated thereunder, in such a way as to have an adverse effect on an individual.

TENNESSSEE VALLEY AUTHORITY

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TVA-1

System name:

Apprentice Training Record System—TVA.

System location:

Labor Relations Staff, Tennessee Valley Authority, Knoxville, Tennessee 37902; Division of Personnel, Information Management Systems Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902; Computing Operations Branch, Tennessee Valley Authority, Chattanooga, Tennessee 37401; all TVA locations where apprentices are employed.

Categories of individuals covered by the system:

Current and former TVA apprentices.

Categories of records in the system:

Employment, qualifications, and evaluation information.

Authority for maintenance of the system:

National Apprenticeship Act of 1937, 50 Stat. 664; TVA Act of 1933, 16 U.S.C. 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To the Bureau of Apprenticeship and Training, the Veterans' Administration, Tennessee Valley Trades and Labor Council, and the State and local government agencies for reporting and evaluation purposes.

To respond to a request from a Member of Congress regarding the status of an apprentice.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

To provide the following information to a prospective employer of a TVA or former TVA employee: Job description, dates of employment, reason for separation.

To the parties or complainants, their representatives, and impartial referees, examiners, administrative judges, or other decisionmakers in proceedings under the TVA grievance adjustment procedures, Equal Employment Opportunity procedures, Merit Systems Protection Board, or similar procedures.

To request information from a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information and to request information from private individuals, if necessary, to obtain information relevant to a TVA decision concerning the hiring, retention, or promotion of an employee, the issuance of a security clearance, or other decision within the purposes of this system of records.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on automated data storage devices, microfiche, and in file folders.

Retrievability:

Records are indexed by name, craft, job code, union code, and social security number.

Safeguards:

Access to and use of these records are limited to persons whose official duties require such access. Files are kept in secured facilities.

Retention and disposal:

Records are maintained from two to five years in accordance with established TVA record retention schedules and are then transferred to the Federal Records Center.

System manager(s) and address:

Director of Labor Relations, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individuals seeking to learn if information on them is maintained in this system of records should address inquiries to the system manager named above. Requests should include the individual's full name, craft, and location of employment.

Record access procedures:

Individuals seeking access to information about them in this system of records should contact the system manager named above. Access will not be granted to investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. Access will not be granted to testing or examination material used solely to determine individual qualification for appointment or promotion in the Federal service, the disclosure of which would compromise the objectivity or fairness of the testing or examination process.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories:

Individual to whom the record pertains; General Aptitude Test Battery scores from State employment security office; references from employers and military and educational institutions; and evaluations from joint committee on apprenticeship.

Systems exempted from certain provisions of the act:

This system is exempt from subsections (d); (e)(4)(H); and (f) (2), (3), and (4) of 5 U.S.C. 552a (section 3 of the Privacy Act of 1974) to the extent that disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence, and to the extent that disclosure of testing and examination material would compromise the objectivity of the testing or examination process. This exemption is pursuant to 5 U.S.C. 552a(k) (5) and (6) and TVA regulations at 18 CFR 1301.24.

TVA-2

System name:

Personnel Files—TVA.

System location:

Division of Personnel, Tennessee Valley Authority, Knoxville Tennessee 37902; Division of Personnel, Information Management Systems Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902; area employment offices in Knoxville, Chattanooga, Muscle Shoals, and Nashville; construction project employment offices; Computing Operations Branch, Tennessee Valley Authority, Chattanooga, Tennessee 37401; National Personnel Records Center, St. Louis, Missouri 63118. Security/suitability investigatory files are located separately from other records in this system. Information on education, career counseling, or job performance may be maintained by the TVA organization that provides the training or career counseling or that employs the individual and by Equal Opportunity Staff. Duplicate or certain specifically temporary information may be maintained by division personnel officers, supervisors, and administrative officers.

Categories of individuals covered by the system:

Current and former TVA employees and applicants for employment.

Categories of records in the system:

Information related to education; qualifications; work history; interests and skills; test results; performance evaluation; career counseling; personnel actions; job description; salary and benefit information; service dates, including other Federal and military service; replies to congressional inquiries; medical data; and security investigation data.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd; Executive Order 10577; Executive Order 10450; Executive Order 11478; Executive Order 11222; Veterans' Preference Act of 1944, 58 Stat. 387, as amended; Equal Employment Opportunity Act of 1972, Pub. L. 92-261, 86 Stat. 103; various sections of Title 5 of the United States Code related to employment by TVA.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To disclose test results to State employment services.

To a State employment security office in response to a request relating to a former employee's claim for unemployment compensation.

To respond to a request from a Member of Congress regarding the status of an employee, former employee, or applicant.

To refer, where there is an indication of a violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, State, or local charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To request from any pertinent source, directly or through a TVA contractor engaged at TVA's direction, information relevant to a TVA decision concerning the hiring, retention, or promotion of an employee, the issuance of a security clearance, or other decision within the purposes of this system of records.

To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

To provide the following information, as requested, to a prospective employer of a TVA or former TVA employee: Job descriptions, dates of employment, and reasons for separation.

To provide information as requested to the Office of Personnel Management pursuant to Executive Orders 10450 and 10577 and other laws.

To any agency of the Federal Government having oversight or review authority with regard to TVA activities.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To transfer information necessary to support a claim for life insurance benefits under Federal Employees' Group Life Insurance to Office of Federal Employees' Group Life Insurance.

To transfer information regarding claims for health insurance benefits to health insurance carrier.

To union representatives in exercising their responsibilities under TVA collective-bargaining agreements.

To the parties or complainants, their representatives, and impartial referees, examiners, administrative judges, or other decisionmakers in proceedings under the TVA grievance adjustment procedures, Equal Employment Opportunity procedures, Merit Systems Protection Board, or similar procedures.

To TVA contractors and subcontractors engaged at TVA's direction in studies and evaluation of TVA personnel management and benefits or the investigation of nuclear safety, reprisal, or other matters involving TVA personnel practices or policies.

To provide pertinent information to local school districts and other government agencies in order to study TVA project impacts and to aid school districts in qualifying for assistance under Pub. L. 81-874 and other laws.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

To commemorate the month and day of employee birthday anniversaries.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and on automated data storage devices and microfiche.

Retrievability:

Records are indexed by name and social security number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended. Remote access facilities are secured through physical and system-based safeguards.

Retention and disposal:

Personal History Records:

Nonmicrofilmed records stored at National Personnel Records Center and microfilmed records stored at TVA are destroyed 75 years after birth date of employee or 60 years after date of earliest document in the record if the date of birth cannot be ascertained. Reference copies are destroyed when no longer needed.

Congressional inquiries are retained indefinitely; test records are retained 10 years; occupational register cards are retained 1 year, with the exception of apprentices which are retained for 5 years; some information maintained on magnetic tape is erased after 1 year, records are disposed of in accordance with established TVA records retention schedules.

System manager(s) and address:

Director of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individuals wishing to learn if information on them is maintained in this system of records should address inquiries to the Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902. Requests should include the individual's full name, employing division, job title, and date of birth. A social security number is not required but may expedite TVA's response.

In addition, current employees should address inquiries also to their supervisors or personnel officers.

Record access procedures:

Individuals seeking to gain access to information about them in this system of records should contact the Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902. In addition, current employees may present requests for access to their supervisors or the personnel officer of the employing division. Requests should include the individual's full name, employing division, job title, and date of birth. A social security number is not required but may expedite TVA's response. Access will not be granted to investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or access to classified information to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. Access will not be granted to testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal Service the disclosure of which would compromise the objectivity or fairness of the testing or examination process.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Record source categories:

Individual to whom the record pertains; educational institutions; former employers; and other reference sources; State employment services; supervisors and other TVA personnel or personnel records; medical officers; other Federal agencies.

In addition to the above sources, security/suitability investigatory files contain information from law enforcement agencies.

Systems exempted from certain provisions of the act:

This system is exempt from subsections (d); (e)(4)(H); and (f) (2), (3), and (4) of 5 U.S.C. 552a (section 3 of the Privacy Act of 1974) to the extent that disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence, and to the extent that disclosure of testing or examination material would compromise the objectivity or fairness of the testing or examination process. This exemption is pursuant to 5 U.S.C. 552a(k) (5) and (6) and TVA regulations at 18 CFR 1301.24.

TVA-3

System name:

Cooperative Training Program for Construction Craftsmen—TVA.

System location:

Office of Natural Resources and Economic Development, Tennessee Valley Authority, Knoxville, Tennessee 37902; construction project offices.

Categories of individuals covered by the system:

Participants in the Cooperative Training Program for Construction Craftsmen.

Categories of records in the system:

Personal identifying information; evaluations.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To State employment services and prospective employers for use in placement of the student.

To request information from a Federal, State, or local agency or from private individuals, if necessary, to obtain information relevant to a TVA decision within the purposes of this system of records.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, State, or local charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To the appropriate agency, whether Federal, State, or local in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by name and social security number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Filing systems are locked when unattended.

Retention and disposal:

Records will be retained indefinitely.

System manager(s) and address:

Manager of Natural Resources and Economic Development, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individuals wishing to determine if information on them is maintained in this system of records should address inquiries to the system manager named above.

Record access procedures:

Requests for access should be addressed to the system manager named above.

Access will not be granted to investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information, to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. Access will not be granted to testing or examination material used solely to determine individual qualification for appointment or promotion in the Federal Service, the disclosure of which would compromise the objectivity or fairness of the testing or examination process.

Contesting record procedures:

Individuals seeking to contest or amend information about them in this system of records should direct their request to the system manager named above.

Record source categories:

Individuals to whom the record pertains; instructors.

Systems exempted from certain provisions of the act:

This system is exempt from subsections (d); (e)(4)(H); and (f) (2), (3), and (4) of 5 U.S.C. 552a (section 3 of the Privacy Act of 1974) to the extent that disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence, and to the extent that disclosure of testing or examination material would compromise the objectivity or fairness of the testing or examination process. This exemption is pursuant to 5 U.S.C. 552a(k) (5) and (6) and TVA regulations at 18 CFR 1301.24.

TVA-4

System name:

Demonstration Farm Records—TVA.

System location:

Agricultural Institute, Tennessee Valley Authority, Muscle Shoals, Alabama 35660.

Categories of individuals covered by the system:

Tennessee Valley farmers participating in TVA farm demonstration programs.

Categories of records in the system:

Agricultural, investment, income, and labor information. The information in this system is not used in any determination about the rights, benefits, or privileges of an individual.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this system of records may be disclosed to State extension services and the U.S. Department of Agriculture for use in program evaluation and in assistance to program participants.

To request information from a government agency or private individual where such information may be relevant to providing additional assistance under this program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and on automated data storage devices, punched cards, microfilm and microfiche.

Retrievability:

Records are indexed by an assigned code.

Safeguards:

Access to and use of these records are limited to persons whose official duties require such access. All records are kept in secured facilities and locked when unattended.

Retention and disposal:

Records are retained for an indefinite period.

System manager(s) and address:

Director of Agricultural Institute. Tennessee Valley Authority, Muscle Shoals, Alabama 35660.

Notification procedure:

Individuals upon whom information is maintained in this system of records are aware of the fact through participation in the program. However, inquiries may be addressed to the system manager named above. Requests should include the individual's full name and State and county of the farm.

Record access procedures:

All information maintained in this system of records has been supplied by the subject individual. However, requests for access may be directed to the system manager named above.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories:

The information in this system is solicited from the individual to whom the record pertains by State extension services and universities.

TVA-5

System name:

Discrimination Complaint Files—TVA.

System location:

The following locations of the TVA Equal Opportunity Staff: Tennessee Valley Authority, Knoxville, Tennessee 37902; Chattanooga, Tennessee 37401; Muscle Shoals, Alabama 35660.

Duplicate copies may be maintained in the files of the TVA division where the complaint originated.

Categories of individuals covered by the system:

Employees or applicants who have received counseling or filed complaints of discrimination based on race, color, religion, sex, national origin, age, or handicap.

Categories of records in the system:

This system of records contains information or documents relating to a decision or determination made by TVA or the Equal Employment Opportunity Commission affecting an individual. The records consist of the initial appeal or complaint, letters or notices to the individual, record of hearings when conducted, materials placed into the record to support the decision or determination, affidavits or statements, testimonies of witnesses, investigative reports, and related correspondence, opinions, and recommendations.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd: Executive Order 11478; 42 U.S.C. 2000e-16; 29 U.S.C. 633a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

A report of each complaint is made to the Equal Employment Opportunity Commission. If an administrative appeal is filed, the entire file is disclosed to the Equal Employment Opportunity Commission.

To the employee's representative.

To respond to a request from a Member of Congress regarding the status of a complaint.

To the parties or complainants, their representatives, and impartial referees, examiners, administrative judges, or other decisionmakers in proceedings under the TVA grievance adjustment procedures, Equal Employment Opportunity procedures, Merit Systems Protection Board, or similar procedures.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulations, or order issued pursuant thereto.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To TVA consultants, contractors, and subcontractors who are engaged in studies and evaluation of TVA's administration of its equal employment opportunity program or who are providing support services to the program.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records in this system are kept in file folders.

Retrievability:

Records in this system are indexed by name.

Safeguards:

Access to and use of these records are limited to those personnel whose official duties require such access.

Retention and disposal:

These records are retained in accordance with established TVA records retention schedules.

System manager(s) and address:

Director of Equal Opportunity, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individuals who have filed discrimination complaints are aware of that fact. However, inquiries may be addressed to the system manager named above. Individuals should provide their full name, theapproximate date of their complaint, and their employing organization, if employed.

Record access procedures:

Individuals who have filed a discrimination complaint have been provided a copy of the record. However, an individual may gain access to the official copy of the complaint record by writing the system manager named above.

Contesting record procedures:

Individuals who have filed a discrimination complaint have had an opportunity during the complaint procedure to amend their record. However, request for amendment or correction of items not involving the complaint procedure may be addressed to the system manager named above.

Record source categories:

The individual to whom the record pertains; TVA personnel and other records; witnesses.

TVA-6

System name:

Employee Accident Information System—TVA.

System location:

Division of Occupational Health and Safety, Muscle Shoals, Alabama 35660.

Accident reports may also be maintained in the file of the employing organization.

Categories of individuals covered by the system:

Employees who have sustained a work-related injury or illness or have been involved, as the operator of a TVA vehicle, in a vehicular accident.

Categories of records in the system:

Personal identifying information and information related to the accident, injury, or illness.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd; Occupational Safety and Health Act of 1970, Pub. L. 93-237, 87 Stat. 1024; Executive Order 12196.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To the Department of Labor as required by the Occupational Safety and Health Act.

To the Office of Workers' Compensation Programs in relation to an individual's claim for compensation.

To respond to a request from a Member of Congress regarding the status of an employee.

To provide information to a Federal agency, in response to its request in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

To request information from a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information and to request information from private individuals, if necessary, to obtain information relevant to a TVA decision concerning the hiring, retention, or promotion of an employee, the issuance of a security clearance, or other decision within the purposes of this system of records.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information in this system is maintained on automated data storage devices and in file folders.

Retrievability:

Records are indexed by name, date of birth, and social security number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended. Remote access facilities are secured through physical and system-based safeguards.

Retention and disposal:

Records are retained for five years, and after that period are retained in accordance with established TVA records retention schedules.

System manager(s) and address:

Tennessee Valley Authority, Director of Occupational Health and Safety, Muscle Shoals, Alabama 35660.

Notification procedure:

Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the system manager named above. Requests should include the individual's full name, date of birth, and approximate date of injury.

Record access procedures:

Individuals who desire access to information about them in this system of records should contact the system manager named above.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories:

The individual to whom the record pertains; TVA medical records; witnesses of accidents and injuries, including appraisers of property damage.

TVA-7

System name:

Employee Accounts Receivable—TVA.

System location:

Division of the Comptroller, Tennessee Valley Authority, Knoxville, Tennessee 37902; Office of the General Counsel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Categories of individuals covered by the system:

Employees or former employees who:

Authorize a payment for specified purposes in their behalf; receive overpayment of earnings; receive duplicate payments; are otherwise indebted to TVA.

Categories of records in the system:

Personal identifying information and information concerning indebtedness and repayment.

Authority for maintenance of the system:

5 U.S.C. Chapter 55; Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Debt Collection Act of 1982 (31 U.S.C. 3711(d)(4)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on punch cards, printouts, invoices, and posting documents.

Retrievability:

Records are indexed by payroll number, social security number, badge number, name, or invoice number.

Safeguards:

Access to and use of these records are limited to persons whose official duties require such access. Files are kept in secured facilities.

Retention and disposal:

Punch cards disposed of in 3 months, printouts in 3 years, invoices in 7 years and posting documents in 50 years.

System manager(s) and address:

Comptroller, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the system manager named above. Requests should include the individual's full name and employing organization. Provision of the social security number is not required, but may expedite TVA's response.

Record access procedures:

Individuals who seek access to information about them in this system of records should contact the system manager named above.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in the system should direct their request to the system manager named above.

Record source categories:

Individual to whom the record pertains; TVA payroll records; TVA disbursement voucher records.

TVA-8

System name:

Employee Alleged Misconduct Investigatory Files—TVA.

System location:

Office of the General Counsel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Categories of individuals covered by the system:

Employees or former employees about whom a complaint of misconduct during employment has been made.

Categories of records in the system:

Information regarding conduct during employment with TVA which may be in violation of law or regulations.

Authority for maintenance of the system:

TVA Act, 16 U.S.C. 831-831dd; Executive Order 10450; Executive Order 11222; Hatch Political Activity Act, 5 U.S.C. 7324-7327; 28 U.S.C. 535.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

To the parties or complainants, their representatives, and impartial referees, examiners, administrative judges, or other decisionmakers in proceedings under the TVA grievance adjustment procedures, Equal Employment Opportunity procedures, Merit Systems Protection Board, or similar procedures.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To request information from a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information and to request information from private individuals, if necessary, to obtain information relevant to a TVA decision concerning the hiring, retention, or promotion of an employee, the issuance of a security clearance, or other decision within the purposes of this system of records.

To provide information as requested to the Office of Personnel Management pursuant to Executive Orders 10450 and 10577 and other laws.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed and retrieved by individual name or investigation number.

Safeguards:

These records are stored in a locked GSA-approved security container. Access to the records is limited to TVA attorneys and their administrative assistants who have a need for them in the course of TVA business and to other TVA employees whose need is approved by Office of the General Counsel management.

Retention and disposal:

Records are disposed of in accordance with established TVA records retention schedules.

System manager(s) and address:

General Counsel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

This system of records is exempt from the requirement pursuant to 5 U.S.C. 552a(k)(2) and TVA regulations at 18 CFR 1301.24.

Record access procedures:

This system of records is exempt from this requirement pursuant to 5 U.S.C. 552a(k)(2) and TVA regulations at 18 CFR 1301.24.

Contesting record procedures:

This system of records is exempt from this requirement pursuant to 5 U.S.C. 552a(k)(2) and TVA regulations at 18 CFR 1301.24.

Record source categories:

This system of records is exempt from this requirement pursuant to 5 U.S.C. 552a(k)(2) and TVA regulations at 18 CFR 1301.24.

Systems exempted from certain provisions of the act:

This system is exempted from subsections (c)(3); (d); (e)(1); (4)(G), (4)(H), (4)(I); and (f) of 5 U.S.C. 552a (Section 3 of the Privacy Act of 1974) pursuant to 5 U.S.C. 552a(k)(2) and TVA regulations at 18 CFR 1301.24.

TVA-9

System name:

Medical Record System—TVA.

System location:

Division of Medical Services, Tennessee Valley Authority, Chattanooga, Tennessee 37401; all TVA medical facilities; Computing Operations Branch, Chattanooga, Tennessee 37401; National Records Center, St. Louis, Missouri 63118; District Offices, Office of Workers' Compensation Programs.

Categories of individuals covered by the system:

Applicants for TVA employment, employees, former employees, official visitors, contractual assignees to TVA, interns, externs, employees of TVA contractors, and other Federal agencies who are examined under contract.

Categories of records in the system:

Medical information pertinent to an individual's employment, official visit, or contractual work with TVA or other Federal agencies, including medical and psychological history, examination, testing, counseling, treatment, and related information; workers compensation claim records; rehabilitation records; and information related to employee participation in the alcohol-drug abuse program.

Medical and psychological information relative to nuclear plant security.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831–831dd; 5 U.S.C. 7902; Federal Employees' Compensation Act, 5 U.S.C. Chapter 81, 5 U.S.C. Chapter 87 (Medical information relating to life insurance program); 5 U.S.C. 3301; Occupational Safety and Health Act of 1970, Pub. L. 93–237, 87 Stat. 1024, Pub. L. 91–616, Federal Civilian Employee Alcoholism Program and Pub. L. 92–255, Drug Abuse Among Federal Civilian Employees, which are amended in regard to confidentiality of records by Pub. L. 93–282; Public health laws (State and Federal) related to the reporting of health hazards, communicable diseases or other epidemiological information; Energy Reorganization Act of 1974, Pub. L. 93–438, 88 Stat. 1233.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Compensation claim records are used for adjudicating claims and providing therapy. Appropriate information is exchanged with physicians, hospitals, and rehabilitation agencies approved by the Office of Workers' Compensation Programs for service to injured employees.

Medical records are used for employee population health monitoring which includes routine clinical and epidemiological investigations. Such studies may require the transfer of selected items of medical data to health-related agencies, organizations, or professionals for the purpose of obtaining specialized clinical consultation, compiling vital and health statistics, or conducting biomedical investigations.

Alcohol-drug program records may be exchanged with a physician or treatment center working with an employee, or in accordance with the provisions of Pub. L. 93–282.

Information in the Medical Record System provided to officials of other Federal agencies responsible for other Federal benefit programs administered by Office of Workers' Compensation Programs, Retired Military Pay Centers, Veterans' Administration, Social Security Administration, and private contractors engaged in providing benefits under Federal contracts.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, the issuance of a security clearance, the reporting of an investigation of an employee, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

To respond to a request from a Member of Congress regarding an employee.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To transfer information regarding claims for health insurance or disability benefits to the health insurance carrier or plan participant.

To request information from a Government agency or private individual, if necessary, to obtain information relevant to a TVA decision within the purposes of this system of records.

To the parties or complainants, their representatives, and impartial referees, examiners, administrative judges, or other decisionmakers in proceedings under the TVA grievance adjustment procedures, Equal Employment Opportunity procedures, Merit Systems Protection Board, or similar procedures.

To TVA consultants, contractors, and subcontractors who are engaged in studies and evaluation of TVA's administration of its medical program or who are providing support sources to the program.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

To provide information to private physicians and other health care professionals or facilities designated by an employee.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on automated data storage devices, microfilm, and in file folders.

Retrievability:

Records are indexed by name, social security number, date of birth, and employee compensation case number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended. Remote access facilities are secured through physical and system-based safeguards. Special instructions issued to medical staff employees assure the confidentiality of medical records.

Retention and disposal:

Records are maintained in accordance with TVA rules and regulations approved by the National Archivist. Retention schedules specify the length of time various records are kept. Active medical records are kept indefinitely. Inactive files are kept in the Division of Medical Services, TVA, for 6 years following the date of last medical record entry. They are then purged and essential record material is microfilmed. The paper records are destroyed by recycling. Microfilm records are destroyed 34 years from date of filming.

X-rays of employees are microfilmed 20 years after termination of employee and the original destroyed. The microfilm records are destroyed in TVA 20 years from date of filming. X-rays of nonemployees and all dependents are destroyed in TVA 6 years from date of film.

System manager(s) and address:

Medical Director, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Notification procedure:

Individuals should address inquiries to the system manager named above or to the medical office at the TVA facility where employed, if a current employee.

Individuals should provide their full name, date of birth, employing organization, and date of last employment, and employee compensation case number, if any. Provision of social security number is not required but may expedite TVA's response.

Record access procedures:

Individuals who desire access to information about them in this system of records should contact or address their inquiries to the system manager named above or the medical office at the TVA facility where currently employed.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories:

The individual to whom the record pertains; TVA medical staff; private physicians and medical institutions; Office of Workers' Compensation Programs; TVA personnel records; other health agencies and departments.

TVA-10

System name:

Employee Statement of Employment and Financial Interests—TVA.

System location:

Office of the General Counsel, Tennessee Valley Authority, Knoxville, Tennessee 37902. Original copies may be kept in division directors' offices.

Categories of individuals covered by the system:

All TVA employees at TVA grade M-8 and above who submitted a report prior to the enactment of the Ethics in Government Act of 1978; employees at TVA grades M-5, M-6, M-7 in positions designated by the General Manager or a division director as requiring submission of a statement; every TVA consultant who is a "special Government employee"; every TVA personal service contractor who is a "special Government employee" and who is determined to be an "expert" or who is otherwise required to submit a statement.

Categories of records in the system:

Statement of employment and financial interests.

Authority for maintenance of the system:

Executive Order 11222; 18 U.S.C. 208; Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To report as requested to the Office of Personnel Management pursuant to Executive Order 10577 and other laws.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in the file folders.

Retrievability:

Records are indexed by name.

Safeguards:

Access to and use of these records are limited to those persons designated by the General Manager or the Board of Directors to review statements of financial interest.

Retention and disposal:

Records are retained in accordance with established records retention schedules.

System manager(s) and address:

General Manager, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individuals upon whom records are maintained in this system of records are aware of that fact by having filed a statement. However, inquiries may be addressed to the Office of the General Counsel, Tennessee Valley Authority, Knoxville, Tennessee 37902. Requests should include the individual's full name and employing division.

Record access procedures:

Individuals wishing to gain access to information about them in this system of records should contact the Office of the General Counsel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the Office of the General Counsel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Record source categories:

The individual to whom the record pertains.

TVA-11

System name:

Payroll Records—TVA.

System location:

TVA Division of the Comptroller, Knoxville, Tennessee 37902; garnishment files are located at the Office of the General Counsel, Knoxville, Tennessee 37902; duplicate copies of some records may also be maintained in the files of the employing division; National Personnel Records Center, St. Louis, Missouri 63118.

Categories of individuals covered by the system:

All employees and personal service contractors selected for certain training programs.

Categories of records in the system:

Personal identifying information, pay, leave, and debt claim information.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd; Internal Revenue Code; Fair Labor Standards Act, 29 U.S.C. Chapter 8; 5 U.S.C. Chapter 63.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To report earnings and other required information to Federal, State, and local taxing authorities as required by law.

To report earnings to the Civil Service Retirement System for members of that system.

To transmit payroll deduction information to financial institutions and employee organizations.

To report earnings to courts when garnishments are served or in bankruptcy or wage earner proceedings.

To report earnings to unions for those crafts on which TVA contributions to union welfare or pension funds are based on earnings. Reports of hours worked are made to unions for those crafts on which such TVA contributions are based on hours worked.

To report earnings to the Department of Housing and Urban Development, State welfare agencies, and State employment security offices where an individual has made a claim for benefit with such agency.

To the parties or complainants, their representatives, and impartial referees, examiners, administrative judges, or other decisionmakers in proceedings under the TVA grievance adjustment procedures, Equal Employment Opportunity procedures, Merit Systems Protection Board, or similar procedures.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

To disclose to any agency of the Federal Government having oversight or review authority with regard to TVA activities.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To transfer information necessary to support a claim for life insurance benefits under Federal Employees' Group Life Insurance to Office of Federal Employees' Group Life Insurance.

To request information from a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information and to request information from private individuals, if necessary, to obtain information relevant to a TVA decision concerning the hiring, retention, or promotion of an employee, the issuance of a security clearance, or other decision within the purposes of this system of records.

To transfer information regarding claims for health insurance benefits to health insurance carriers.

To TVA contractors and subcontractors engaged in studies and evaluations of TVA payroll and personnel management.

To union representatives exercising their responsibilities under TVA collective bargaining agreements.

To report earnings to the Department of Housing and Urban Development, and State welfare agencies where an individual makes a claim for benefits and to report earnings to State employment security offices in both manual and automated form for use by these offices in determining unemployment benefits.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Debt Collection Act of 1982 (31 U.S.C. 3711(d)(4)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on automated data storage devices, hardcopy printouts, and in file folders.

Retrievability:

Records are primarily indexed by name. They may also be retrieved by reference to employing organization, date of end of pay period, social security or badge number, date of birth, sex, job title.

Safeguards:

Access to and use of these records are limited to persons whose official duties require such access. Filing systems are locked when unattended. Remote access facilities are secured through physical and system-based safeguards.

Retention and disposal:

File folders are retained for 3 years after termination. Timesheets are retained for 7 years. Payroll registers are retained in active status for 1 year, transferred to TVA record storage for 5 years, and to National Personnel Records Center for an additional 50 years. Magnetic tapes are retained for 1 year after termination.

System manager(s) and address:

Comptroller, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individuals wishing to learn if information on them is maintained in this system of records should address inquiries to the system manager named above. Requests should include the individual's full name, employing organization, and date of last employment. The social security number is not required but may expedite TVA's response.

Record access procedures:

Individuals seeking access to information on them in this system of records should contact the system manager named above.

Contesting record procedures:

Individuals seeking to amend or correct information on them in this system of records should contact the system manager named above.

Record source categories:

Individual to whom the record pertains; TVA personnel records; employee's supervisor for report of hours worked.

TVA-12

System name:

Employee Travel Advance Records—TVA.

System location:

Division of the Comptroller, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Duplicate copies of these records may also be maintained in the files of the employee's division.

Categories of individuals covered by the system:

TVA employees requesting travel advances.

Categories of records in the system:

Name, address, employing organization, date and amount of travel advance, and repayment information.

Authority for maintenance of the system:

5 U.S.C. 5701-5709, and related Federal travel regulations; Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil or regulatory in nature, to the appropriate agency whether Federal, State, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Disclosure to consumer reporting agencies:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Debt Collection Act of 1982 (31 U.S.C. 3711(d)(4)).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on computer printouts and microfiche.

Retrievability:

Records are indexed by name and social security number.

Safeguards:

Access to and use of these records are limited to persons whose official duties require such access. Files are kept in secured facilities.

Retention and disposal:

These records are retained permanently.

System manager(s) and address:

Comptroller, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the system manager named above. Requests should include the individual's full name and employing organization.

Record access procedures:

Individuals who seek access to information about them in this system of records should contact the system manager named above.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories:

Individual to whom the record pertains; TVA disbursement voucher records; TVA application for travel advance.

TVA-13

System name:

Employment Applicant Files—TVA.

System location:

Division of Personnel, Employment Branch and Information Management Systems Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902; area and project employment offices; Computing Operations Branch, TVA, Chattanooga, Tennessee 37401.

Categories of individuals covered by the system:

Applicants for employment including former employees seeking reemployment.

Categories of records in the system:

Application forms and related correspondence.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831–831dd; 5 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To respond to a request from a Member of Congress regarding the status of an individual's application.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To request from any pertinent source, directly or through a TVA contractor engaged at TVA's direction, information relevant to a TVA decision concerning the hiring of an employea, the issuance of a security clearance, or other decision within the purposes of this system of records.

To disclose test results to State employment services.

To provide information as requested to the Office of Personnel Management pursuant to Executive Orders 10450 and 10577 and other laws.

To provide information to a Federal agency in response to its request in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To the parties or complainants, their representatives, and impartial referees, examiners, administrative judges, or other decisionmakers in proceedings under the TVA grievance adjustment procedures, Equal Employment Opportunity procedures, Merit Systems Protection Board, or similar procedures.

To the appropriate agency whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and on automated data storage devices and printouts.

Retrievability:

Records are indexed by name and social security number.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended. Remote access facilities are secured through physical and system-based safeguards.

Retention and disposal:

Applications are kept for one year from last indication of interest, with the exception of apprenticeship applications, which are kept for five years.

System manager(s) and address:

Director of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individual wishing to learn if information on them is maintained in this system of records should address inquiries to Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902, or to the area or project employment office to which application was sent. Requests should include the individual's full name, social security number, date of birth, and approximate date of application.

Record access procedures:

Individuals wishing to gain access to information on them in this system of records should contact the Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902, or the area or project employment office to which the application was sent. Access will not be granted to investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information, to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence.

Access will not be granted to testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal Service the disclosure of which would compromise the objectivity or fairness of the testing or examination process.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Record source categories:

The individual on whom the record is maintained; educational institutions, employers, and other references; state employment services.

Systems exempted from certain provisions of the act:

This system is exempt from subsections (d); (e)(4)(H); and (f) (2), (3), and (4) of 5 U.S.C. 552a (section 3 of the Privacy Act of 1974) to the extent that disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence and to the extent that disclosure of testing or examination material would compromise the objectivity or fairness of the testing or examination process. This exemption is pursuant to 5 U.S.C. 552a(k) (5) and (6) and TVA regulations at 18 CFR 1301.24.

TVA-14

System name:

Grievance Records—TVA.

System location:

Labor Relations Staff, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Duplicate copies are also maintained in the files of the division concerned with the grievance.

Categories of individuals covered by the system:

TVA employees and former employees who have formally appealed to TVA for adjustment of their grievances.

Categories of records in the system:

Evidence and arguments relevant to the matter giving rise to the grievance and related correspondence.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To respond to a request from a Member of Congress regarding the status of an employee's grievance.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To the parties or complainants, their representatives, and impartial referees, examiners, administrative judges, or other decisionmakers in proceedings under the TVA grievance adjustment procedures, Equal Employment Opportunity Procedures, Merit Systems Protection Board, or similar procedures.

To request information from a Federal, State, or local agency, or private individual if necessary to obtain information relevant to a TVA decision within the purposes of this system of records.

To refer, where there is an indication of a violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulations, or order issued pursuant thereto.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

Director of Labor Relations, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individuals who have filed grievances are aware of that fact. Inquiries may, however, be addressed to the system manager named above. Requests should include the individual's full name and employing division.

Record access procedures:

Individuals who have filed a grievance may gain access to the official copy of the grievance record by contacting the system manager named above.

Contesting record procedures:

The contest, amendment, or correction of a grievance record is permitted during the prosecution of that grievance. However, an individual may address requests for amendment or correction of items not involved in prosecution of the grievance to the system manager named above.

Record source categories:

Individual to whom the record pertains; TVA personnel records; statements and testimony of witnesses and related correspondence.

TVA-15

System name:

Land Between The Lakes Hunter Records—TVA.

System location:

Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231; Computing Operations Branch, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Categories of individuals covered by the system:

Individuals to whom hunter use permits are issued and those who apply for participation in managed hunts at Land Between The Lakes.

Categories of records in the system:

Personal identifying information, State hunting license(s) number(s), and information related to the hunts.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd; Executive Order 6161.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To respond to a request from a Member of Congress regarding the status of an applicant.

To request information from a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as licenses, or to request information from a private individual to the extent necessary to obtain information relevant to a TVA decision concerning the issuance of a permit to hunt or any other privilege.

To provide hunt information to State agencies concerned with wildlife management practices.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency whether Federal, State, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

To provide mailing lists to organizations or contractors cooperating with Land Between The Lakes in activities or events for the purpose of publicizing those activities or events.

To provide mailing lists to an independent Land Between The Lakes support organization for the purpose of soliciting members for the organization.

To provide mailing lists to students of faculty of educational institutions for the purposes of research.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on automated data storage devices, card files, and computer printouts.

Retrievability:

Records are indexed by name; automated files may be retrieved by any key data element.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Files are kept in secured facilities.

Retention and disposal:

Applications for managed hunts are maintained for one year; carbon copies of hunter use permits are maintained two years; and automated records on those permits are maintained five years. Other information may be retained indefinitely.

System manager(s) and address:

Director of Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231.

Notification procedure:

Individuals wishing to know whether information about them is maintained in this system of records should address their inquiries to the Director of Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231. Requests should include the name as listed on the application or hunter use permit or the hunter use permit number.

Record access procedures:

All information maintained in this system of records has normally been supplied by the subject individual. However, requests for access may be directed to the Director of Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the Director of Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231.

Record source categories:

Individual on whom the record is maintained.

TVA-16

System name:

Land Between The Lakes Register of Law Violations—TVA.

System location:

Land Between The Lakes, Tennessee Valley Authority, Patrol Office, Golden Pond, Kentucky 42231.

Categories of individuals covered by the system:

Persons cited or arrested for violation of State or Federal law at Land Between The Lakes.

Categories of records in the system:

Personal identifying information and information related to the investigation and disposition of the violation.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831–831dd; 18 U.S.C. 7, 13; Kentucky Revised Statutes 150, Chapter 43, Kentucky Act 1974; Tennessee Public Acts 1972, Chapter 552.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on cards.

Retrievability:

Records are indexed by name.

Safeguards

Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended.

Retention and disposal:

Records are kept indefinitely.

System manager(s) and address:

Director of Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231.

Notification procedure:

This system of records had been exempted from this provision pursuant to 5 U.S.C. 552a(j)(2) and TVA regulations at 18 CFR 1301.23.

Record access procedures:

This system of records had been exempted from this provision pursuant to 5 U.S.C. 552a(j)(2) and TVA regulations at 18 CFR 1301.23.

Contesting record procedures:

This system of records has been exempted from this provision pursuant to 5 U.S.C. 552a(j)(2) and TVA regulations at 18 CFR 1301.23.

Record source categories:

This system of records has been exempted from this provision pursuant to 5 U.S.C. 552a(j)(2) and TVA regulations at 18 CFR 1301.23.

Systems exempted from certain provisions of the act:

This system is exempt from subsections (c)(3), (4); (d); (e) (1), (2), (3), (4)(G), (4)(H), (4)(I), (5); (f); (g); and (h) of 5 U.S.C. 552a (Section 3 of the Privacy Act of 1974) pursuant to 5 U.S.C. 552a(j)(2) and TVA regulations at 18 CFR 1301.23.

TVA-18

System name:

Employee Supplementary Vacancy Announcement Records—TVA.

System location:

Office and division personnel offices in Knoxville and Chattanooga, Tennessee, and Muscle Shoals, Alabama; may also be maintained in other offices that issue or receive responses to supplementary vacancy announcements.

Categories of individuals covered by the system:

Employees applying for placement in positions covered by the supplementary vacancy announcement procedure.

Categories of records in the system:

Applications and supporting material submitted by employee.

Authority for maintenance of the system:

Executive Order 11478; Equal Employment Opportunity Act of 1972, Pub. L. 92–261, 86 Stat. 103; 5 U.S.C. 3101; Tennessee Valley Authority Act of 1933, 16 U.S.C. 831–831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To the parties or complainants, their representatives, and impartial referees, examiners, administrative judges, or other decisionmakers in proceedings under the TVA grievance adjustment procedures, Equal Employment Opportunity procedures, Merit Systems Protection Board, or similar procedures.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by name.

Safeguards:

Access to and use of these records are limited to persons whose official duties require such access. Records are maintained in secured facilities.

Retention and disposal:

Records are disposed of in accordance with established TVA records retention schedules.

System manager(s) and address:

Director of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individuals upon whom records are maintained in this system are aware of that fact through filing an application. However, inquiries may be addressed to the name and address to which application was submitted. Requests should include the individual's full name, position applied for, and location of job.

Record access procedures:

Individuals upon whom records are maintained in this system have supplied all information in this system. However, requests for access may be addressed to the name and address to which application was submitted.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the name and address to which application was submitted.

Record source categories:

The individual upon whom the record is maintained.

TVA-19

System name:

Consultant and Personal Service Contractor Records—TVA.

System location:

Division of Personnel, Employment Branch and Information Management Systems Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902; Computing Operations Branch, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Payment records are located at these TVA Division of the Comptroller offices: Knoxville, Tennessee 37902; Chattanooga, Tennessee 37401; Muscle Shoals, Alabama 35660.

Records related to personal service contractors employed under the Comprehensive Employment and Training Act of 1973, Pub. L. 93-203, are located at TVA, Office of Natural Resources and Economic Development, Knoxville, Tennessee 37902, and Land Between The Lakes, Golden Pond, Kentucky 42231.

Records on individuals who provide services under a TVA contract with an organization may be kept in the files of the office or division that receives the services.

Duplicate copies of some records may be kept in the files of the employing division.

Categories of individuals covered by the system:

Individuals who provide services to TVA; participants in TVA-State employment programs; individuals who provide services under a TVA contract with an organization; and participants in other special employment programs.

Categories of records in the system:

The Division of Personnel maintains contracts, records of the qualifications, performance, and evaluation of the contractor, and related correspondence. For public service employment program participants, the Division of Personnel maintains information related to job placement such as test scores, interest inventories, and supervisor's evaluations. Payment information is maintained by the Division of the Comptroller.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd; Comprehensive Employment and Training Act, Pub. L. 93-203, 87 Stat. 839; Executive Order 11222; Executive Order 10450; Executive Order 10577; provisions of 5 U.S.C. applicable to employment with TVA; Internal Revenue Code.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To transmit reports as requested to the Office of Personnel Management, pursuant to 5 U.S.C. 3323, Executive Orders 10577 and 10450, and other laws.

To report earnings information to the Internal Revenue Service and the Social Security Administration.

To respond to a request from a Member of Congress regarding the status of a contractor or consultant.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulations, or order issued pursuant thereto.

To request information from a Federal, State, or local agency, maintaining civil, criminal, or other relevant enforcement information or other pertinent information and to request information from private individuals if necessary to obtain information relevant to a TVA decision concerning the hiring, retention, or promotion of an employee, the issuance of a security clearance, or other decision within the purposes of this system of records.

To transmit to the appropriate State contracting agency reports of hours worked by participants in the public service employment program, and to request reimbursement.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

To provide the following information to a prospective employer of a TVA or former TVA consultant or personal service contractor: Job descriptions, dates of employment, and reason for separation.

To the parties or complainants, their representatives, and impartial referees, examiners, administrative judges, or other decisionmakers in proceedings under the TVA grievance adjustment procedures, Equal Employment Opportunity procedures, Merit Systems Protection Board, or similar procedures.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and on automated data storage devices.

Retrievability:

Records are indexed by name, social security number, or voucher number.

Safeguards:

Access to and use of these records are limited to persons whose official duties require such access. All filing systems are locked when unattended.

Retention and disposal:

Records are disposed of periodically as appropriate.

System manager(s) and address:

Director of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individuals wishing to know if records on them are maintained in the system should address inquiries to the system manager named above. Requests shall include the individual's full name, employing or contracting division, and whether the individual was a participant in the public service employment program. Social security numbers are not required but may expedite TVA's response.

Record access procedures:

Individuals wishing to gain access to information on them in this system of records should contact the system manager named above. Access will not be granted to investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information, to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. Access will not be granted to testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal Service, the disclosure of which would compromise the objectivity or fairness of the testing or examination proce[illegible]

Contesting re[illegible]procedures:

Individuals d[illegible]g to contest or amend information about them maintained in th[illegible]stem should direct their request to the system manager named above.

Record source categories:

Individual to whom the record pertains; educational institutions, former employers, and other reference sources; State employment services; supervisors and other TVA personnel or personnel records; medical officers; other Federal agencies.

In addition to the above sources, security/suitability investigatory files contain information from law enforcement agencies.

Systems exempted from certain provisions of the act:

This system is exempt from subsections (d); (e)(4)(H); (f) (2), (3), and (4) of 5 U.S.C. 552a (section 3 of the Privacy Act of 1974) to the extent that disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence, and to the extent that disclosure of testing or examination material would compromise the objectivity or fairness of the testing or examination process. This exemption is pursuant to 5 U.S.C. 552a(k)(5) and (6) and TVA regulations at 18 CFR 1301.24.

TVA-21

System name:

Nuclear Quality Assurance Personnel Records—TVA.

System location:

Division of Nuclear Quality Assurance, Tennessee Valley Authority, Chattanooga, Tennessee 37402.

Copies of records for Quality Assurance Evaluators are maintained in the office of the Director of Nuclear Quality Assurance in Chattanooga.

Categories of individuals covered by the system:

Employees or former employees involved in quality assurance work.

Categories of records in the system:

Information related to the qualifications of employees.

Authority for maintenance of the system:

Energy Reorganization Act of 1974, Pub. L. 93-438, 88 Stat. 1233 as implemented at Nuclear Regulatory Commission Regulatory Guide 1.58.

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To the Nuclear Regulatory Commission or its authorized representatives for inspection or evaluation of TVA Quality Assurance procedures.

To respond to a request from a Member of Congress regarding the status of an employee.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigation and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To request information from a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information and to request information from private individuals if necessary to obtain information relevant to a TVA decision concerning the hiring, retention, or promotion of an employee, the issuance of a security clearance, or other decision within the purposes of this system of records.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To the parties or complainants, their representatives, and impartial referees, examiners, administrative judges, or other decisionmakers in proceedings under the TVA grievance adjustment procedures, Equal Employment Opportunity procedures, Merit Systems Protection Board, or similar procedures.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended.

Retention and disposal:

These records are retained indefinitely.

System manager(s) and address:

Director of Nuclear Quality Assurance, Tennessee Valley Authority, Chattanooga, Tennessee 37402.

Notification procedure:

Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the system manager named above. Inquiries should include the individual's full name and employing organization.

Record access procedures:

Individuals who desire access to information about them in this system of records should contact the system manager named above.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories:

The individual on whom the record is maintained; TVA personnel records.

Systems exempted from certain provisions of the act:

This system of records is exempt from subsection (d); (e)(4)(H); (f) (2), (3), and (4) of 5 U.S.C. 552a (section 3 of the Privacy Act of 1974) to the extent that disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. The exemption is pursuant to 5 U.S.C. 552a(k)(5) and TVA regulations at 18 CFR 1301.24.

TVA-22

System name:

Questionnaire—Farms in Vicinity of Proposed Nuclear Power Plant—TVA.

System location:

Agricultural Institute, Tennessee Valley Authority, Muscle Shoals, Alabama 35660.

Categories of individuals covered by the system:

Individuals from whom TVA purchases land for proposed nuclear plant, individuals having vegetable gardens, irrigated land, dairy cows, and milk goats within two-mile radius of proposed plant site.

Categories of records in the system:

Personal identifying information and information related to agriculture, milk consumption, water resources, and farm product value.

This information is not used for making determinations about the rights, benefits, or privileges of any individual.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd; National Environmental Policy Act, Pub. L. 91-190, 83 Stat. 852; Energy Reorganization Act of 1974, Pub. L. 93-438, 88 Stat. 1233.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in this systems of records is used in developing environmental evaluations and impact statements. Certain relevant but nonsensitive information may be disclosed in these statements. Information may also be used:

In administrative and licensing proceedings including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

To disclose to any agency of the Federal Government having oversight or review authority with regard to TVA activities.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders.

Retrievability:

Records are indexed by assigned number and aerial photo number.

Safeguards:

Access to and use of these records are limited to persons whose official duties require such access. Files are kept in secured facilities.

Retention and disposal:

Records are maintained indefinitely or for the life of the plant.

System manager(s) and address:

Director of Agricultural Institute, Tennessee Valley Authority, Muscle Shoals, Alabama 35660.

Notification procedure:

Individuals on whom information is maintained in this system are aware of that fact through response to the questionnaire. However, inquiries may be addressed to the system manager named above. Requests should include the individual's full name, farm address, and approximate date of survey.

Record access procedures:

Individuals on whom information is maintained in this system have supplied all such information. However, requests for access may be directed to the system manager named above.

Contesting record procedures:

Individuals desiring to amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories:

Individual about whom the record is maintained.

TVA-23

System name:

Radiation Dosimetry Personnel Monitoring Records—TVA.

System location:

Division of Nuclear Services, Radiological Health Branch, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Categories of individuals covered by the system:

Employees, former employees, and visitors who might be exposed or are exposed to radiation while in TVA installations.

Categories of records in the system:

Information on the magnitude of exposure at TVA installations, exposure prior to employment.

Authority for maintenance of the system:

Energy Reorganization Act of 1974, Pub. L. 93-438, 88 Stat. 1233; 10 CFR Parts 19, 20; Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To the Nuclear Regulatory Commission for its use in evaluating TVA hazard control measures.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To the parties or complainants, their representatives, and impartial referees, examiners, administrative judges, or other decisionmakers in proceedings under the TVA grievance adjustment procedures, Equal Employment Opportunity procedures, Merit Systems Protection Board, or similar procedures.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and on automated data storage devices.

Retrievability:

Records are indexed by name.

Safeguards:

Access to and use of these records are limited to persons whose official duties require such access. Files are kept in secured facilities.

Retention and disposal:

These records are retained permanently.

System manager(s) and address:

Chief of Radiological Health Branch, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Notification procedure:

Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the system manager named above. Requests should include the individual's full name and whether or not a TVA employee.

Record access procedures:

Individuals who desire access to information about them in this system of records should contact the system manager named above.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories:

Individuals to whom the record pertains; TVA personnel conducting radiation monitoring programs.

TVA-24

System name:

Reforestation, Erosion Control, and Plantation Case History Records—TVA.

System location:

Record Staging Area, Tennessee Valley Authority, Muscle Shoals, Alabama 35660, pending official transfer to Federal Archives, East Point, Georgia.

Categories of individuals covered by the system:

Private landowners involved in early TVA-Civilian Conservation Corps tree planting programs.

Categories of records in the system:

Forest acreage, performance, and yield information.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd; Executive Order 6161.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To the appropriate agency, whether Federal, State, or local in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on file cards.

Retrievability:

Records are indexed by State, county, and name.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Building is locked when unattended.

Retention and disposal:

This information is kept permanently for archival purposes.

System manager(s) and address:

Manager of Natural Resources and Economic Development, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individuals on whom records are maintained are aware of that fact through participation in the program. However, inquiries may be addressed to the system manager named above. Individuals should provide their full name, State, and county of residence.

Record access procedures:

Individuals who desire access to information about them in this system of records should address their inquiries to the system manager named above.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories:

The individual to whom the record pertains; State forestry personnel; TVA surveys.

TVA-26

System name:

Retirement System Records—TVA.

System location:

Retirement Services Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Categories of individuals covered by the system:

Active, retired, and former members of the TVA Retirement System; TVA employees and former employees who are members of the Civil Service Retirement System; designated beneficiaries.

Categories of records in the system:

Personal identifying information; retirement, benefit, and investment information; related correspondence; and legal documents.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd; Internal Revenue Code.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To report earnings to the Internal Revenue Service.

To supply information on coverage to Blue Cross-Blue Shield of Tennessee, Provident Life Insurance Company, and other insurance carriers.

To disclose information to actuarial firms for valuation and projecting benefits.

To disclose information to the Medical Board of the TVA Retirement System for determinations related to disability retirement.

To certify insurance status to the Office of Personnel Management and the Office of Federal Employees' Group Life Insurance.

To respond to a request from a Member of Congress regarding the status of a system member.

To request information from a Federal, State, or local agency, maintaining civil, criminal, or other relevant enforcement information or other pertinent information and to request information from private individuals if necessary to obtain information relevant to a TVA decision within the purpose of this system of records.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To provide information to a Federal agency, in response to its request, in connection with the issuance of any benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To provide the TVA Retirees Association, retired members of the TVA Retirement System, and retired former TVA employees who are covered by the Civil Service Retirement System, with names and mailing addresses of other retired members and retired employees.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on automated data storage devices, ledgers, and in file folders.

Retrievability:

Records are indexed by name, sex, date of birth, address, social security number, active member number, retirement number, or salary.

Safeguards:

Records in this system are maintained in locked files or safes, in secure facilities. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

Retention periods vary from two years to permanent depending on the nature of the information and the medium in which they are stored.

System manager(s) and address:

Chief, Retirement Services Branch, Division of the Comptroller, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the system manager named above. Inquiries should include the individual's full name and date of birth. The social security number is not required but will expedite TVA's response.

Record access procedures:

Individuals who desire access to information about them in this system of records should contact the system manager named above.

Contesting record procedures:

Individuals wishing to correct or amend information maintained on them in this system should address inquiries to the system manager named above.

Record source categories:

The individual on whom the record is maintained; TVA personnel and payroll records.

TVA-27

System name:

Test Demonstration Farm Records—TVA.

System location:

Division of Technology Development, National Programs Branch, Tennessee Valley Authority, Muscle Shoals, Alabama 35660.

Categories of individuals covered by the system:

Farmers located outside the Tennessee Valley participating in TVA demonstration farm programs.

Categories of records in the system:

Agricultural, income, investment, labor, and food data.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To request information from a Government agency or private individual where such information may be relevant to providing additional assistance under this program.

To disclose to State extension services and the U.S. Department of Agriculture for use in program evaluation and in assistance to program participants.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and on automated data storage devices, cards, and printouts.

Retrievability:

Records are indexed by an assigned number.

Safeguards:

Access to and use of these records are limited to persons whose official duties require such access. Files are kept in secured facilities and locked when unattended.

Retention and disposal:

Records are retained indefinitely.

System manager(s) and address:

Director of Technology Development, Tennessee Valley Authority, Muscle Shoals, Alabama 35660.

Notification procedure:

Individuals on whom information is maintained are aware of that fact through participation in the program. However, inquiries may be addressed to the system manager. Individuals should provide their full name, county, and State in which individual participated in a TVA farm demonstration program.

Record access procedures:

Individuals seeking access to information about them in this system of records should contact the system manager named above.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories:

Information in this system is solicited from the individual to whom the record pertains by State extension services and universities.

TVA-28

System name:

Woodland Resource Analysis Program Input Data—TVA.

System location:

Office of Natural Resources and Economic Development, Tennessee Valley Authority, Knoxville, Tennessee 37902; Computing Services Branch, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Categories of individuals covered by the system:

Private landowners, agencies, and corporations owning woodlands in Valley region and participating in TVA woodland resource management demonstration program.

Categories of records in the system:

Personal, financial, and land resource information pertinent to woodland resource planning. The information in this system is not used by TVA in the determination about the rights, benefits, or privileges of the individual.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd; Executive Order 6161.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Evaluated information is supplied to State forestry personnel for use in assisting the landowner.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on automated data storage devices, hardcopy printouts, and in file folders.

Retrievability:

Records are indexed by computer run number by State.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. Files are kept in secured facilities.

Retention and disposal:

Records are retained for 25 years.

System manager(s) and address:

Manager of the Office of Natural Resources and Economic Development, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individuals on whom information is maintained are aware of that fact through participation in the program. However, inquiries may be addressed to the system manager. Individuals should provide their full name, State of residence, and the calendar year(s) of participation in the program.

Record access procedures:

Individuals on whom records are maintained have been provided copies of all information in that record. However, requests for access may be directed to the system manager named above.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories:

The individual to whom the record pertains provides the information to State forestry personnel. The information is evaluated by TVA and returned to the State forestry personnel who utilize the information in evaluated form to assist the landowner.

TVA-29

System name:

Electricity Use, Rate, and Service Study Records—TVA.

System location:

Division of Conservation and Energy Management, Tennessee Valley Authority, Chattanooga, Tennessee 37402.

Categories of individuals covered by the system:

Individuals residing in households which are participating in electricity use, rate, and service studies including those receiving electricity conservation assistance.

Categories of records in the system:

Information about an individual's income, employment, family size, characteristics of his dwelling including type of heating and cooling systems and number and kind of appliances, and other characteristics of study participants relevant to patterns of residential electrical use.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To distributors and contractors assisting TVA in the study.

To the appropriate agency, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and on automated data storage devices.

Retrievability:

Records are indexed by an identification number assigned to each household.

Safeguards:

Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended.

Retention and disposal:

Survey information will be retained until completion of the program and for two years thereafter.

System manager(s) and address:

Director of Conservation and Energy Management, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Notification procedure:

Individuals about whom information is maintained in this system of records are aware of that fact through participation in the program. However, inquiries may be addressed to the system manager named above. Request should include the individual's full name and address.

Record access procedures:

Requests for access may be directed to the system manager named above.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories:

The information in this system is solicited from the individual to whom the record pertains.

TVA-30

System name:

Land Between The Lakes Mailing Lists—TVA.

System location:

Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231.

Categories of individuals covered by the system:

Persons using, visiting, or having an interest in the activities, programs, or facilities of Land Between The Lakes.

Categories of records in the system:

Personal identifying information, address, and information about their Land Between The Lakes associated interests, activities, or program participation.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd; Executive Order No. 6161.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To provide mailing lists to organizations or TVA contractors cooperating with Land Between The Lakes in activities or events for the purpose of publicizing those activities or events.

To provide mailing lists to an independent Land Between The Lakes support organization for the purposes of soliciting members for the organization.

To provide mailing lists to students or faculty of educational institutions for the purposes of research.

To provide mailing lists to participants in Land Between The Lakes Leadership Training programs for the purpose of facilitating communication among participants.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on card files, automated data storage devices, and computer printouts.

Retrievability:

Records are primarily indexed by name and identification code. They may also be retrieved by reference to interests, organization, or address elements.

Safeguards:

Access to and use of these records are limited to persons whose official duties require such access. Files are kept in secured facilities. Access facilities are secured through physical, administrative, and system-based safeguards.

Retention and disposal:

Records are kept for the period of time the individual is to receive mailings.

System manager(s) and address:

Director of Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231.

Notification procedure:

Individuals wishing to know whether information about them is maintained in this system of records should address their inquiries to the Director of Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231. Request should include the individual's full name and address.

Record access procedures:

Individuals seeking to gain access to information about them in this system of records should contact the Director of Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their requests to the Director of Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231.

Record source categories:

Individuals on whom records are maintained, organization representatives, and TVA employees.

TVA-31

System name:

OIG Investigative Records—TVA.

System location:

Office of the Inspector General, Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902. Duplicate copies of certain documents may also be located in the files of other offices and divisions.

Categories of individuals covered by the system:

Individuals and entities who are or have been the subjects of investigations by the Office of the Inspector General (OIG) or who provide information in connection with such investigations, including but not limited to: Employees, former employees, current or former contractors and subcontractors and their employees, consultants, and other individuals and entities which have or are seeking to obtain business or other relations with TVA.

Categories of records in the system:

Information relating to investigations, including information provided by known or anonymous complainants; information provided by the subjects of investigations; information provided by individuals or entities with whom the subjects are associated (e.g., coworkers, business associates, relatives); information provided by Federal, State, or local investigatory, law enforcement, or other Government or non-Government agencies; information provided by witnesses and confidential sources; information from public source materials; information from commercial data bases or information resources; investigative notes; summaries of telephone calls; correspondence; investigative reports or prosecutive referrals; and information about referrals for criminal prosecutions, civil proceedings, and administrative actions taken with respect to the subjects.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831–831dd; Executive Order 10450; Executive Order 11222; Hatch Act, 5 U.S.C. 7324–7327; 28 U.S.C. 535; Proposed Plan for the Creation, Structure, Authority, and Function of the Office of Inspector General, Tennessee Valley Authority, approved by the TVA Board of Directors on October 18, 1985; and TVA Code XIII INSPECTOR GENERAL, approved by the TVA Board of Directors on February 19, 1987.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To refer, where there is an indication of a violation of statute, regulation, order, or similar requirement, whether criminal, civil, or regulatory in nature, to the appropriate entity, including Federal, State, or local agencies or other entities charged with enforcement, investigative, or oversight responsibility.

To provide information to a Federal, State, or local entity (1) in connection with the hiring or retention of an individual, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting entity to the extent that the information is relevant to a decision on such matters or (2) in connection with any other matter properly within the jurisdiction of such other entity and related to its prosecutive, investigatory, regulatory, administrative, or other responsibilities.

To the appropriate entity, whether Federal, State, or local, in connection with its oversight or review responsibilities or authorized law enforcement activities.

To respond to a request from a Member of Congress regarding an individual, or to report to a Member on the results of investigations, audits, or other activities of OIG.

To the parties or complainants, their representatives, and impartial referees, examiners, administrative judges, or other decisionmakers in proceedings under the TVA grievance adjustment procedures, Equal Employment Opportunity procedures, Merit Systems Protection Board, or similar procedures.

To the subjects of an investigation and their representatives in the course of a TVA investigation of misconduct; to any other person or entity that has or may have information relevant to the investigation to the extent necessary to assist in the conduct of the investigation, such as to request information.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To a consultant, private firm, or individual who contracts or subcontracts with TVA, to the extent necessary to the performance of the contract.

To request information from a Federal, State, or local agency maintaining civil, criminal, or other relevant or potentially relevant information and to request information from private individuals or entities, if necessary, to acquire information pertinent to the hiring, retention, or promotion of an employee, the issuance of a security clearance, the conduct of a background or other investigation, or other matter within the purposes of this system of records.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on automated data storage devices, hard-copy printouts, and in file folders.

Retrievability:

Records are indexed and retrieved by individual name or case file number.

Safeguards:

Access to and use of records is limited to authorized staff in OIG and to other authorized officials and employees of TVA on a need-to-know basis as determined by OIG management. Security will be provided by physical, administrative, and computer system safeguards. Files will be kept in secured facilities not accessible to unauthorized individuals.

Retention and disposal:

These records are retained in accordance with TVA records retention schedules.

System manager(s) and address:

Inspector General, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

This system of records is exempt from this requirement pursuant to 5 U.S.C. 552a(k)(2) and TVA regulations at 18 CFR 1301.24.

Record access procedures:

This system of records is exempt from this requirement pursuant to 5 U.S.C. 552a(k)(2) and TVA regulations at 18 CFR 1301.24.

Contesting record procedures:

This system of records is exempt from this requirement pursuant to 5 U.S.C. 552a(k)(2) and TVA regulations at 18 CFR 1301.24.

Record source categories:

This system of records is exempt from this requirement pursuant to 5 U.S.C. 552a(k)(2) and TVA regulations at 18 CFR 1301.24.

Systems exempted from certain provisions of the act:

This system is exempt from subsections (c)(3), (d), (e)(1), (4)(G), (4)(H) and (4)(I), and (f) of 5 U.S.C. 552a (section 3 of the Privacy Act of 1974) pursuant to 5 U.S.C. 552a(k)(2) and TVA regulations at 18 CFR 1301.24.

TVA–32

System name:

Call Detail Records—TVA.

System location:

Data Center, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Categories of individuals covered by the system:

TVA employees, contractor personnel, and other individuals who make telephone calls from or charge telephone calls to TVA telephones.

Categories of records in the system:

Records relating to use of TVA telephones; records relating to long distance telephone calls charged to TVA; records indicating assignment of telephone numbers and authorization numbers; records relating to locations of TVA telephones.

Authority for maintenance of the system:

TVA Act of 1933, 16 U.S.C. 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To respond to a request from a Member of Congress regarding an individual.

To provide to the appropriate entity, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To refer, where there is an indication of a violation of statute, regulation, order, or similar requirement, whether criminal, civil, or regulatory in nature, to the appropriate entity, including Federal, State, or local agencies, or other entities charged with enforcement, investigative, or oversight responsibility.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an individual, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant to the requesting agency's decision on that matter.

To the parties or complainants, their representatives, and impartial referees, examiners, administrative judges, or other decision makers in proceedings under the TVA grievance adjustment procedures, Equal Employment Opportunity procedures, Merit Systems Protection Board, or similar procedures.

To a telecommunications company as well as to other TVA contractors providing telecommunications support to permit servicing the account.

To TVA contractors engaged at TVA's direction in investigations of abuse of TVA telephone service or other related issues.

To TVA contractors and contractor personnel to determine individual responsibility for telephone calls.

To TVA contractors in connection with amounts due TVA for telecommunications services provided to them.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and on automated data storage devices.

Retrievability:

Records are retrieved by name, authorization number, or telephone number.

Safeguards:

Access to and use of these records are limited to persons whose official duties require such access. Files are kept in secured facilities. Automated data is secured through physical and system-based safeguards.

Retention and disposal:

These records are retained in accordance with established TVA records retention schedules.

System manager(s) and address:

Chief, Telecommunications Staff, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Notification procedure:

Individuals wishing to learn if information on them is maintained in this system of records should address inquiries to Chief, Telecommunications Staff, Tennessee Valley Authority, Chattanooga, Tennessee 37401. Requests should include the individual's full name, employing division, job title, and official TVA telephone number and authorization number.

Record access procedures:

Individuals seeking to gain access to information about them in this system of records should contact the Chief, Telecommunications Staff, Tennessee Valley Authority, Chattanooga, Tennessee 37401. Requests should include the individual's full name, employing division, job title, and official TVA telephone number and authorization number.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to Chief, Telecommunications Staff, Chattanooga, Tennessee 37401.

Record source categories:

TVA Telecommunication Control System; telecommunications companies with which TVA contracts for telephone service; telephone and authorization number assignment records; results of administrative inquiries relating to assignment of responsibility for placement of specific long distance calls.

TVA–33

System name:

Office of Nuclear Power Call Detail Records—TVA.

System location:

Emergency Operations Center, Computer Room, 1101 Market Street, Chattanooga, Tennessee 37401.

Categories of individuals covered by the system:

TVA employees, contractor personnel, and other individuals who make telephone calls from or charge telephone calls to TVA telephones located at TVA nuclear plant sites.

Categories of records in the system:

Records relating to use of TVA telephones at TVA nuclear plant sites; records relating to long distance telephone calls charged to TVA telephones at TVA nuclear plant sites; records indicating assignment of telephone numbers and authorization numbers at TVA nuclear plant sites; records relating to locations of TVA telephones at TVA nuclear plant sites.

Authority for maintenance of the system:

TVA Act of 1933, 16 U.S.C. 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To respond to a request from a Member of Congress regarding an individual.

To provide to the appropriate entity, whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To refer, where there is an indication of a violation of statute, regulation, order, or similar requirement, whether criminal, civil, or regulatory in nature, to the appropriate entity, including Federal, State, or local agencies, or other entities charged with enforcement, investigative, or oversight responsibility.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an individual, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant to the requesting agency's decision on that matter.

To the parties or complainants, their representatives, and impartial referees, examiners, administrative judges, or other decision makers in proceedings under the TVA grievance adjustment procedures, Equal Employment Opportunity procedures, Merit Systems Protection Board, or similar procedures.

To a telecommunications company as well as to other TVA contractors providing telecommunications support to permit servicing the account.

To TVA contractors engaged at TVA's direction in investigations of abuse of TVA telephone service or other related issues.

To TVA contractors and contractor personnel to determine individual responsibility for telephone calls.

To TVA contractors in connection with amounts due TVA for telecommunications services provided to them.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained in file folders and on automated data storage devices.

Retrievability:

Records are retrieved by name, authorization number, or telephone number.

Safeguards:

Access to and use of these records are limited to persons whose official duties require such access. Files are kept in secured facilities. Automated data is secured through physical and system-based safeguards.

Retention and disposal:

These records are retained in accordance with established TVA records retention schedules.

System manager(s) and address:

Director of Nuclear Services, 1101 Market Street, Chattanooga, Tennessee 37401.

Notification procedure:

Individuals wishing to learn if information on them is maintained in this system of records should address inquiries to the site director of the TVA nuclear plant from which the telephone calls were placed or to which the telephone calls were charged. Requests should include the individual's full name, employing division, job title, and official TVA telephone number and authorization number.

Record access procedures:

Individuals seeking to gain access to information about them in this system of records should contact the site director of the TVA nuclear plant from which the telephone calls were placed or to which the telephone calls were charged. Requests should include the individual's full name, employing division, job title, and official TVA telephone number and authorization number.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their request to the site director of the TVA nuclear plant from which the telephone calls were placed or to which the telephone calls were charged. Requests should include the individual's full name, employing division, job title, and official TVA telephone number and authorization number.

Record source categories:

Station message detail recording systems associated with telecommunications equipment at TVA nuclear plant sites; telecommunications companies with which TVA contracts for telephone service; telephone and authorization number assignment records; results of administrative inquiries relating to assignment of responsibility for placement of specific long distance calls.

TVA-34

System name:

Project/Tract Files—TVA.

System location:

Land Management Branch Files, Office Services Support Branch Records Center, and Chattanooga Data Center, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Categories of individuals covered by the system:

Individuals or business entities from/to whom TVA is in the process of or has (1) acquired, transferred, or sold land or landrights, (2) made payment for construction, maintenance, or other damage to real property, or (3) made payment for relocation assistance. A project/tract file may name more than one individual and/or business entity involved in a transaction. (The system records that pertain to individuals and reflect personal information are subject to the Privacy Act. The system also contains records that are not subject to the Privacy Act. Noncovered records include public information and records on corporations and other business entities.)

Categories of records in the system:

Maps, property descriptions, appraisal reports, and title documents on real property; reports on contracts and transaction progress; contracts and options; records of investigations, claims, and/or payments related to land transactions, damage restitution, and relocation assistance; related correspondence and reports.

Authority for maintenance of the system:

Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd; Pub. L. 87-852, 76 Stat. 1129; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

To respond to a request from a Member of Congress regarding an individual.

To lienholders as necessary to secure subordinations or releases of liens or to protect lienholder rights.

To county clerk and register of deeds offices to document and put of record the title acquired by TVA.

To landowners, prospective landowners, claimants, or trespassers to establish or cure titles, to resolve encroachments, to resolve boundary disputes, or to resolve questions about easement rights or the application of Section 26a of the TVA Act, 16 U.S.C. 831y-1.

To contractors to secure appraisals and title abstracts.

To request information from a Federal, State, or local agency or from private individuals as necessary to obtain information relevant to a TVA decision to acquire or dispose of property or to pay claims or make payments related to land transactions, damage restitution, and relocation assistance.

To refer, where there is an indication of a violation of statute, regulation, order, or similar requirement, whether criminal, civil, or regulatory in nature, to the appropriate entity, including Federal, State, or local agencies, or other entities charged with enforcement, investigative, or oversight responsibility.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an individual, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant to the requesting agency's decision on that matter.

In litigation to which TVA is a party or in which TVA provides legal representation for a party by TVA attorneys or otherwise, for use for any purpose including the presentation of evidence and disclosure in the course of discovery. In all other litigation, to respond to process issued under color of authority of a court of competent jurisdiction.

To provide to the appropriate entity whether Federal, State, or local, in connection with its oversight review responsibilities or authorized law enforcement activities.

To report any required information to Federal, State, and local taxing authorities as required by law.

To genealogical researchers, relevant portions of maps, descriptions, appraisals, and title documents on real property, after 20 years to establish historical records.

To archaeological researchers, relevant portions of maps, descriptions, appraisals, and title documents on real property, after 20 years to reconstruct historical settings.

To respond to a request from a Member of Congress regarding the status of a matter relating to a specific project or tract.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Records are maintained on registers, index and aperture cards, microfilm, in file folders, and/or on automated data storage devices.

Retrievability:

Records are primarily indexed by tract number and project symbol. Records may also be retrieved by cross-index reference to individual and business entity names.

Safeguards:

Access to and use of these records are limited to persons whose official duties require such access. Files are kept in secured facilities. Remote access facilities are secured through physical and system-based safeguards.

Retention and disposal:

Records are retained and disposed of in accordance with established TVA record retention schedules.

System manager(s) and address:

Director of Land and Economic Resources, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure:

Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the Chief, Land Management Branch, Tennessee Valley Authority, Norris, Tennessee 37828. Requests should include the individual's full name and, to the extent known, any project/tract identifying information such as the project name, tract number, address, or related data.

Record access procedures:

Individuals seeking to gain access to information about them in this system of records should contact the Chief, Land Management Branch, Tennessee Valley Authority, Norris, Tennessee 37828. Requests should include the individual's full name, and to the extent known, any project/tract identifying information such as project name, tract number, address, or related data. Access will be granted only to individually segregable personal information about the requester and to segregable nonpersonal information in accordance with TVA regulations on release of records relating to negotiations in progress involving contracts or agreements for the acquisition or disposal of real or personal property by TVA prior to the conclusion of such negotiations.

Contesting record procedures:

Individuals desiring to contest or amend information about them maintained in this system should direct their requests to the Chief, Land Management Branch, Tennessee Valley Authority, Norris, Tennessee 37828.

Record source categories:

Public records and directories; landowners, tenants, and other individuals and business entities (including financial institutions) having an interest in or knowledge related to land ownership, appraisal, or title history; TVA personnel and contractors including independent appraisers and commercial title companies.

Title 18-Conservation of Power, Water Resources

Chapter XIII-Tennessee Valley Authority

PART 1301—PROCEDURES

Sec.

Subpart B—Privacy Act

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Subpart B—Privacy Act

Authority: Sec. 3, Pub. L. 93–579, 88 Stat. 1897 (5 U.S.C. 552a).

Source: 40 FR 45313, Oct. 1, 1975, unless otherwise noted. Redesignated at 44 FR 30682, May 29, 1979.

§ 1301.11 Purpose and scope.

(a) The regulations in §§ 1301.11 to 1301.24 implement section 3 of the Privacy Act of 1974, 5 U.S.C. 552a, with respect to systems of records maintained by TVA. They provide procedures by which an individual may exercise the rights granted by the Act to determine whether a TVA system contains a record pertaining to him; to gain access to such records; to have a copy made of all or any portion thereof; and to request administrative correction or amendment of such records. They prescribe fees to be charged for copying records; establish identification requirements; list penalties provided by statute for certain violations of the Act; and establish exemptions from certain requirements of the Act for certain TVA systems or components thereof.

(b) Nothing in §§ 1301.11 to 1301.24 entitles an individual to any access to any information or record compiled in reasonable anticipation of a civil action or proceeding.

(c) Certain records of which TVA may have physical possession are the official records of another government agency which exercises dominion and control over the records, their content, and access thereto. In such cases, TVA's maintenance of the records is subject to the direction of the other government agency. Except for a request for a determination of the existence of the record, when TVA receives requests related to these records, TVA will immediately refer the request to the controlling agency for all decisions regarding the request, and will notify the individual making the request of the referral.

§ 1301.12 Definitions.

For purposes of § 1301.11 to § 1301.24:

(a) The "Act" means section 3 of the Privacy Act of 1974, 5 U.S.C. 552a;

(b) The terms "individual," "maintain," "record," "system of records," "statistical record," and "routine use" have the meaning provided for by the Act;

(c) The term "TVA system" means a system of records maintained by TVA;

(d) The term "TVA system notice" means a notice of a TVA system published in the **Federal Register** pursuant to the Act. TVA has published TVA system notices about the following TVA systems:

Apprentice Training Record System—TVA.
Personnel Files—TVA.
Cooperative Training Program for Construction Craftsmen—TVA.
Demonstration Farm Records—TVA.
Discrimination Complaint Files—TVA.
Employee Accident Information System—TVA.
Employee Accounts Receivable—TVA.
Employee Alleged Misconduct Investigatory Files—TVA.
Medical Record System—TVA.
Employee Statement of Employment and Financial Interests—TVA.
Payroll Records—TVA.
Employee Travel Advance Records—TVA.
Employment Applicant Files—TVA.
Grievance Records—TVA.
Land Between The Lakes Hunter Records—TVA.
Land Between The Lakes Register of Law Violations—TVA.
Employee Supplementary Vacancy Announcement Records—TVA.
Consultant and Personal Service Contractor Records—TVA.
Nuclear Quality Assurance Personnel Records—TVA.
Questionnaire-Farms in Vicinity of Proposed Nuclear Power Plant—TVA.
Radiation Dosimetry Personnel Monitoring Records—TVA.
Reforestation, Erosion control, and Plantation Case History Records—TVA.
Retirement System Records—TVA.
Test Demonstration Farm Records—TVA.
Woodland Resource Analysis Program Input Data—TVA.
Electricity Use, Rate, and Service Study Records—TVA.
Land Between The Lakes Mailing Lists—TVA.
OIG Investigative Records—TVA.
Call Detail Records—TVA.
Office of Nuclear Power Call Detail Records—TVA.
Project/Tract Files—TVA.

(e) The term "appellant" means an individual who has filed an appeal pursuant to § 1301.19(a) from an initial determination refusing to amend a record on request of the individual;

(f) The term "reviewing official" means TVA's Vice President, Human Resources, or another TVA official designated by the Vice President in writing to decide an appeal pursuant to § 1301.19;

(g) The term "day," when used in computing a time period, excludes Saturdays, Sundays, and legal public holidays.

[40 FR 45313, Oct. 1, 1975. Redesignated at 44 FR 30682, May 29, 1979, and amended at 53 FR 30252, Aug. 11, 1988]

§ 1301.13 Procedures for requests pertaining to individual records in a record system.

(a) An individual may, in accordance with this section (1) request a TVA determination whether a record retrieved by the individual's name or other personal identifier is maintained in a TVA system, and (2) request access to such a record. A request for determination may be combined with a request for access.

(b) Requests under this section shall:

(1) Be in writing and signed by the individual seeking the determination or access;

(2) Include the individual's mailing address;

(3) Name the TVA system as listed in the TVA system notice;

(4) Include any additional identifying information specified in the paragraph headed "Notification procedure" in the applicable TVA system notice;

(5) Specify whether the request is for determination only or for both determination and access; and

(6) Include such proof of identity as may be required by § 1301.14 and the applicable system notice.

Requests may be presented in person or by mail. In-person requests shall be presented during normal TVA business hours, as set out in § 1301.14(g).

(c) Requests for determination only shall be presented to the official designated in the paragraph headed "Notification procedure" in the TVA system notice for the TVA system concerned. Requests for both determination and access shall be presented to the official designated in the paragraph headed "Access procedure" in the TVA system notice for the TVA system concerned. Certain TVA system notices designate officials at field locations of TVA systems. With respect to such TVA systems, an individual who believes his record is located at the field location may present a request to the designated official at the field location. If the record is not available at that field location, the request will be forwarded to the appropriate TVA office.

(d) If a request is for determination only, the determination will normally be made within 10 days after receipt of the request. If the determination cannot be made within 10 days after receipt of a request, the designated official will acknowledge the request in writing and state when the determination will be made. Upon making a determination, the designated official will notify the individual making the request whether the record exists. The notice will include any additional information necessary to enable the individual to request access to the record.

(e) A request which includes a request for access will be acknowledged within 10 days after receipt. If access can be granted as requested, the acknowledgment will provide a time and place for disclosure of the requested record. Disclosure will normally be made within 30 days of the date of the acknowledgement, but the designated official may extend the 30-day period for reasons found by him to be good cause. In case of an extension, TVA will notify the individual, in writing, that disclosure will be delayed, the reasons for delay, and the anticipated date on which the individual may expect the record to be disclosed. TVA will attempt to accommodate reasonable requests for disclosure at specified times and dates, as set forth in a request for access, so far as compatible with the conduct of TVA business.

§ 1301.14 Times, places, and requirements for identification of individuals making requests.

(a) TVA will require proof of identity, in accordance with this section, before it will disclose a record under § 1301.15 of this part to an individual requesting access to the record, and before it will disclose the existence of a record to a requester under § 1301.13 of this part, if TVA determines that disclosure of the existence of such record would constitute an unwarranted invasion of personal privacy.

(b) Identification normally required would be an identification card such as a valid state driver's license or TVA or other employee identification card. A comparison of the signature of the requester with either the signature on the card or a signature in the record may be used to confirm identity.

(c) Because of the sensitivity of the subject matter in a TVA system, a TVA system notice may prescribe special identification requirements for the disclosure of the existence of or access to records in that TVA system. In such case, the special identification requirements prescribed in the TVA system notice shall apply in lieu of those prescribed by paragraph (b) of this section.

(d) If TVA deems it warranted by the nature of identification presented, the subject matter of the material to be disclosed, or other reasons found by TVA to be sufficient, TVA may require the individual requesting access to sign a statement asserting identity and stating that the individual understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine of up to $5,000.

(e) Where TVA is requested to provide access to records by mailing copies of records to the requester, the request shall contain or be accompanied by adequate identifying information to make it likely the requester is the person he purports to be and a notarized statement asserting identity and stating that the individual understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine of up to $5,000.

(f) Where sensitivity of record information may warrant (i.e., unauthorized access could cause harm or embarrassment to the individual) or disclosure by mail to third persons is requested, TVA may require in-person confirmation of identity. If in-person confirmation of identity is required, the individual may arrange with the designated TVA official to provide such identification at any of these TVA locations convenient to the individual: Knoxville, Nashville, and Chattanooga, Tennessee; Muscle Shoals, Alabama; Washington, D.C., or another location agreed upon by the individual and the designated TVA official. Upon request the TVA official will provide an address and an appropriate time for such identification to be presented.

(g) In general, TVA offices located in the eastern time zone are open 8 a.m. to 4:45 p.m., and those in the central time zone 7:30 a.m. to 4:15 p.m. Construction project offices and Land Between The Lakes are generally open 7 a.m. to 3:30 p.m. Offices are closed on Saturdays, Sundays, and the following holidays: New Year's Day, Birthday of Martin Luther King, Jr., Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, and Christmas Day.

[40 FR 45313, Oct. 1, 1975. Redesignated at 44 FR 30682, May 29, 1979, and amended at 53 FR 30253, Aug. 11, 1988]

§ 1301.15 Disclosure of requested information to individuals.

(a) All disclosure and examination of records shall normally be made in the presence of a TVA representative. If an individual wishes to be accompanied by a third person of the individual's choosing when the record is disclosed, TVA may require the individual to furnish TVA, in advance of disclosure of the record, a statement signed by the individual authorizing discussion and disclosure of the record in the presence of the accompanying person. If desired by the individual, TVA shall provide copies of any documents reviewed in the record which are requested at the time of review. Fees shall be charged for such copies in accordance with the fee schedule in § 1301.21, and shall be payable prior to delivery of the copies to the individual.

(b) Where permitted by § 1301.14, copies of an individual's record will be made available by mail. A charge for copies will be made in accordance with § 1301.21 of this part. All fees due shall be paid prior to mailing of the materials. However, if TVA is unable to allow in-person review of the record, the first copy will be made available without charge.

§ 1301.16 Special procedures—Medical records.

If, in the judgment of TVA, the transmission of medical records, including psychological records, directly to a requesting individual could have an adverse effect upon such individual, TVA may refuse to disclose such information directly to the individual. TVA will, however, disclose this information to a licensed physician designated by the individual in writing.

§ 1301.17 Requests for correction or amendment of record.

(a) An individual may request amendment of records pertaining to him in a TVA system to the extent permitted by the Act in accordance with this section. A request for amendment shall:

(1) Be in writing and signed by the individual seeking the amendment;

(2) Name the TVA system in which the record is maintained;

(3) Describe the item or items of information to be amended;

(4) Describe the nature of the amendment requested; and

(5) Give the reasons for the requested change.

(b) Requests shall be made to the official designated in the paragraph headed "Contesting record procedures" in the TVA system notice for the TVA system concerned. Before considering a request, TVA may require proof of identity of the requester similar to that required under § 1301.14 to gain access to the record.

(c) The individual requesting amendment has the responsibility of providing TVA with evidence of why his record should be amended, and must provide adequate evidence to TVA to justify his request.

(d) The provisions of §§ 1301.11 to 1301.24 of this part do not permit the alteration of evidence presented or to be presented in the course of judicial or administrative proceedings; neither do they permit collateral attack on a prior judicial or administrative action, or provide a collateral remedy for a matter otherwise judicially or administratively cognizable.

[40 FR 45313, Oct. 1, 1975. Redesignated at 44 FR 30682, May 29, 1979, and amended at 53 FR 30253, Aug. 11, 1988]

§ 1301.18 TVA review of request for correction or amendment of record.

(a) TVA will acknowledge a request for amendment within 10 days of receipt. The acknowledgement will be in writing, will request any additional information TVA requires to determine whether to make the requested correction or amendment, and will indicate the date by which TVA expects to make its initial determination.

(b) TVA will, except in unusual circumstances, complete its consideration of requests to amend records within 30 days. If more time is deemed necessary, TVA will notify the individual of the delay and of the expected date of completion of the review.

(c) If TVA determines that a record should be corrected or amended, in whole or in part, in accordance with a request, it will advise the requesting individual in writing of its determination, and correct or amend the record accordingly. If an accounting of disclosures has been made, TVA will, to the extent of the accounting, inform prior recipients of the record of the fact that the correction was made and the substance of the correction.

(d) If TVA, after initial consideration of a request, determines that a record should not be corrected or amended, in whole or in part, in accordance with a request, it will notify the individual in writing of its refusal to amend the record and the reasons therefor. The notification will inform the individual that the refusal may be appealed administratively and will advise the individual of the procedures for such appeals.

§ 1301.19 Appeals on initial adverse agency determination on correction or amendment.

(a) An individual may appeal an initial determination refusing to amend that individual's record in accordance with this section. An appeal must be taken within 20 days of receipt of notice of TVA's initial refusal to amend the record and is taken by delivering a written notice of appeal to the Vice President, Human Resources, Tennessee Valley Authority, Knoxville, Tennessee 37902. Such notice shall be signed by the appellant and shall state:

(1) That it is an appeal from a denial of a request to amend the individual's records under these regulations and under the Privacy Act of 1974;

(2) The reasons why the appellant believes the denial to have been erroneous;

(3) The date on which the denial was issued; and

(4) The date on which the denial was received by the appellant.

(b) Appeals shall be determined by a reviewing official. Such determination may be based on information provided for the initial determination; any additional information which TVA or the appellant may desire to provide; and any other material the reviewing official deems relevant to the determination. The reviewing official, in his sole discretion, may request TVA or the appellant to provide additional information deemed relevant to the appeal. The appellant will be given an opportunity to respond to any information provided by TVA or independently procured by the reviewing official. If in the sole discretion of the reviewing official a hearing is deemed necessary for resolution of the appeal, the reviewing official may conduct a hearing upon notice to TVA and the appellant, at which both TVA and the appellant shall be afforded an opportunity to be heard on the appeal. The rules governing any hearing will be set forth in the notice of hearing.

(c) The reviewing official shall make final determination on the appeal within 30 days after it is received unless such period is extended for good cause. If the reviewing official finds good cause for an extension, TVA will inform the appellant in writing of the reason for the delay and of the approximate date on which the reviewing official expects to complete his determination of the appeal.

(d) If the reviewing official determines that a record should be amended in whole or in part in accordance with an appellant's request, TVA will inform the appellant in writing of its determination and correct or amend the record. If an accounting of disclosures has been made, TVA will, to the extent of the accounting, inform prior recipients of the record of the fact that the correction was made and of the substance of the correction.

(e) If the reviewing official determines not to amend a record, in whole or in part, in accordance with a request, TVA will advise the individual:

(1) Of its refusal to amend and the reasons therefor;

(2) Of the appellant's right to file a concise statement of reasons for disagreement with the refusal as set out in paragraph (f) of this section;

(3) Of the procedures for filing a statement of disagreement;

(4) That any statement of disagreement will be made available to anyone to whom the record is subsequently disclosed together with any statement by TVA summarizing its reasons for refusing to amend the record;

(5) That prior recipients of the disputed record will be provided a copy of any statement of dispute to the extent that an accounting of disclosures was maintained; and

(6) Of his or her right to seek judicial review of the agency's refusal to amend a record.

(f) If the reviewing official's final determination of an appeal is a refusal to correct or amend a record, in whole or in part, in accordance with the request, the appellant may file with TVA a concise statement setting forth the reasons for his or her disagreement with the refusal of TVA to amend the records. Such statements normally should not exceed 100 words. A statement of disagreement should be submitted within 30 days of receipt of notice of the reviewing official's decision on the appeal, and should be sent to system manager. In any disclosure containing information about which the individual has filed a statement of disagreement which occurs after the filing of the statement, TVA will clearly note any portion of the record which is disputed and provide copies of the statement with the disclosure. Copies of the statement will also be furnished to persons or other agencies to whom the record has been disclosed to the extent that an accounting of disclosures was made. TVA may attach to the statement of disagreement a brief summary of TVA's reasons for refusing to amend the record. Such summaries will be disclosed to the individual, but are not subject to amendment.

[40 FR 45313, Oct. 1, 1975. Redesignated at 44 FR 30682, May 29, 1979, and amended at 53 FR 30253, Aug. 11, 1988]

§ 1301.20 Disclosure of record to persons other than individual to whom it pertains.

For purposes of § 1301.11 to § 1301.24, the parent of any minor or the legal guardian of any individual who has been declared incompetent due to physical or mental incapacity or age by a court of competent jurisdiction may act on behalf of the individual. TVA may require proof of the relationship prior to allowing such action. The parent or legal guardian may not act where the individual concerned objects to the action of the parent or legal guardian, unless a court otherwise orders.

§ 1301.21 Fees.

(a) Fees to be charged, if any, to any individual for making copies of his or her record exclude the cost of any search and review of the record. The following fees are applicable:

(1) For reproduction of material consisting of sheets no larger than 8½ by 14 inches, ten cents per page; and

(2) For reproduction of other materials, the direct cost of photostats or other means necessarily used for duplication.

§ 1301.22 Penalties.

Section 552a(i), title 5, United States Code provides that:

> (1) Criminal Penalties.—Any officer or employee of an agency, who by virtue of his employment or official position, has possession of, or access to, agency records which contain individually identifiable information the disclosure of which is prohibited by this section or by rules or regulations established thereunder, and who knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, shall be guilty of a misdemeanor and fined not more than $5,000.
>
> (2) Any officer or employee of any agency who willfully maintains a system of records without meeting the notice requirements of paragraph (e)(4) of this section shall be guilty of a misdemeanor and fined not more than $5,000.
>
> (3) Any person who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretenses shall be guilty of a misdemeanor and fined not more than $5,000.

§ 1301.23 General exemptions.

(a) Individuals may not have access to records maintained by TVA but which were provided by another agency which has determined by regulation that such information is subject to general exemption under 5 U.S.C. 552a(j). If such exempt records are within a request for access, TVA will advise the individual of their existence and of the name and address of the source agency. For any further information concerning the record and the exemption, the individual must contact that source agency.

(b) The TVA system "Land Between The Lakes Register of Law Violations—TVA" is exempted from subsections (c)(3), (4); (d); (e)(1), (2), (3), (4)(G), (4)(H), (4) (I), (5); (f); (g); and (h) of 5 U.S.C. 552a and corresponding sections of these rules pursuant to section (j)(2) of 5 U.S.C. 552a (section 3 of the Privacy Act). Application of these provisions of the Privacy Act to the criminal law enforcement records in this system might interfere with effective law enforcement at the Land Between The Lakes.

[40 FR 45313, Oct. 1, 1975. Redesignated at 44 FR 30682, May 29, 1979, and amended at 53 FR 30253, Aug. 11, 1988]

§ 1301.24 Specific exemptions.

(a) The TVA system "Employee Alleged Misconduct Investigatory Files—TVA" is exempted from subsections (c)(3); (d); (e)(1), (4)(G), (4)(H), (4)(I); and (f) of 5 U.S.C. 552a and corresponding sections of these rules pursuant to section (k)(2) of 5 U.S.C. 552a (section 3 of the Privacy Act). This TVA system is exempted because applications of these provisions to this system might impair investigations of employee misconduct.

(b)(1) The TVA systems "Apprentice Training Record System-TVA", "Consultant and Personal Service Contractor Records-TVA", "Cooperative Training Program for Construction Craftsmen-TVA"," Employment Applicant File-TVA","Personnel Files-TVA","Quality Assurance Personnel Records-TVA" are exempted from subsections (d); (e)(4)(H); (f)(2), (3) and (4) of 5 U.S.C. 552a and corresponding sections of these rules to the extent that disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. These TVA systems are exempted pursuant to section (k)(5) of 5 U.S.C. 552a (section 3 of the Privacy Act).

(2) Each of these TVA systems contain reference letters and information concerning employees and other individuals who perform services for TVA. TVA has received this information in the past under both express and implied promises of confidentiality and consistent with the Privacy Act these promises will be honored. Pledges of confidentiality will be necessary in the future to ensure that unqualified or unsuitable individuals are not selected for TVA positions. Without the ability to make these promises, a potential source of information may be unwilling to provide needed information, or may not be sufficiently frank to be of value in personnel screening.

(c)(1) The TVA systems "Apprentice Training Record System-TVA","Consultant and Personal Service Contractor Records-TVA", "Cooperative Training Program for Construction Craftsmen-TVA", "Employment Applicant File-TVA", and "Personnel Files-TVA" are exempted from subsections (d); (e)(4)(H); (f)(2), (3), and (4) of 5 U.S.C. 552a and corresponding sections of these rules to the extent that disclosure of testing or examination material used solely to determine individual qualifications for appointment or promotion in the federal service would compromise the objectivity or fairness of the testing or examination process. These systems are exempted pursuant to section (k)(6) of 5 U.S.C. 552a (section 3 of the Privacy Act).

(2) This material is exempted because its disclosure would reveal information about the testing process which would potentially give an individual an unfair competitive advantage in selection based on test performance.

(d) The TVA system OIG Investigative Records is exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f) of 5 U.S.C. 552a (sections 3 of the Privacy Act) and corresponding sections of these rules pursuant to 5 U.S.C. 552a(k)(2). This system is exempted because application of these provisions might alert investigation subjects to the existence or scope of investigations, disclose investigative techniques or procedures, reduce the cooperativeness of witnesses, or otherwise impair investigations.

[40 FR 45313, Oct. 3, 1975. Redesignated at 44 FR 30682, May 29, 1979, and as amended at 52 FR 7405, Mar. 11, 1987; 53 FR 30253, Aug. 11, 1988]

TRADE NEGOTIATIONS, OFFICE OF THE SPECIAL REPRESENTATIVE

EOP/STR—1

System name: Applicants for Employment STR.

Categories of individuals covered by the system: Individuals who have inquired about employment and have given resumes or comparable data to the Office in the past 12 months.

Categories of records in the system: Correspondence, reseme's references, and similar information.

Authority for maintenance of the system: Pub.L. 93-618 88 Stat. 1978, 19 U.S.C. 2171

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: On a need to know basis by agency officials, to have available names and resume's of individuals who have applied for jobs for possible consideration if employment opportunities arise.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular NO. A-19 at any state of the legislative coordination and clearance process as set forth in that Circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In files, on paper, alphabetically or in the case of applicants for attorney positions, filed under a single heading.

Retrievability: Manually by name.

Safeguards: Kept in metal file cabinets under combination lock, released to agency officials upon need to know basis.

Retention and disposal: Kept for one year then destroyed.

System manager(s) and address: Administrative Officer, Office of the Special Representative for Trade Negotiations, 1800 G St., NW, Washington, D.C., 20506, Room 729

Notification procedure: Contact system manager noted above.

Record access procedures: See STR access regulations in 15 CFR Part 2005.

Contesting record procedures: See STR access regulations in 15 CFR Part 2005.

Record source categories: From the individuals named.

EOP/STR—2

System name: Correspondence File STR.

System location: Office of the Special Representative for Trade Negotiations, 1800 G Street, NW, Washington, D.C. 20506, Room 729, Room 719

Categories of individuals covered by the system: Individuals who have written directly to the Special Representative for Trade Negotiations on non-substantive issues and all members for Trade Negotiations on non-substantive issues and all members of Congress who have written to the Office of the STR.

Categories of records in the system: Correspondence.

Authority for maintenance of the system: Pub.L. 618, 88 Stat. 1978, 19 U.S.C. 2171.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: On a need to know basis by agency officials, to be able to retrieve certain correspondence for ordinary and usual performance of thier duties.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A—19 at any state of the legislative coordination and clearance process as set forth in that Circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Filed on paper, alphabetically.

Retrievability: Manually by name.

Safeguards: Filed in metal cabinets under combination lock, released to agency official on need to know basis.

Retention and disposal: Congressional files held for five years then destroyed or transferred to subject file, others for two years and then destroyed or transferred to subject file.

System manager(s) and address: Administrative Officer, Office of the STR, Executive Sec. to the STR, Office of the STR, 1800 G St., NW, Washington, D.C. 20506.

Notification procedure: Contact system manager noted above. Record access procedures: See STR access regulations in 15 CFR Part 2005.

Record access procedures: See STR access regulations in 15 CFR Part 2005.

Record source categories: From individual named.

EOP/STR—3

System name: General Financial Records STR.

System location: General Services Administration, Central Office, copies of some records held by the STR. (GSA holds records for STR under contract).

Categories of individuals covered by the system: STR employees.

Categories of records in the system: SF 1038, Application and account for advance of funds; vendor register and vendor payment tape.

Authority for maintenance of the system: 32 U.S.C., generally, Pub.L. 93-618 88 Stat. 1978, 19 U.S.C. 2171

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used by accounting technicians to maintain adequate financial information and by other officers and employees of GSA and the STR who have a need for the record in the performance of their duties.

Relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting violations or potential violations of law or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator of other duly authorized official engaged in investigation or settlement or a grievance, complaint, or appeal filed by an employee.

A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of federal personnel management.

A record from this system of records may be disclosed to officers and employees of a federal agency for purposes of audit.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

Records also are released to GAO audits; to the IRS for investigation; and to private attorneys, pursuant to a power of attorney.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and tape.

Retrievability: Manual and automated by name.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Administrative Officer, Office of the Special Representative for Trade Negotiations, 1800 G St., NW, Washington, D.C. 20506, Room 709.

Notification procedure: Contact system manager noted above.

Record access procedures: See STR access regulations in 15 CFR Part 2005.

Contesting record procedures: See STR access regulations in 15 CFR Part 2005.

Record source categories: The subject individual; the STR.

EOP/STR—4

System name: Payroll Records STR.

System location: General Services Administration, Region 3 Office; copies of some records held by the STR (GSA holds records for STR under contract).

Categories of individuals covered by the system: Past and present STR employees.

Categories of records in the system: Varied payroll records, including, among other documents, time and attendance cards; payment vouchers; comprehensive listing of employees; health benefits records; requests for deductions; tax forms; W2 forms; overtime requests; leave data; retirement records.

Authority for maintenance of the system: 31 U.S.C., generally, Pub.L. 93-618 88 Stat. 1978, 19 U.S.C. 2171.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used by STR and GSA employees to maintain adequate payroll information for STR employees and otherwise by STR and GSA employees who have a need for the record in the performance of their duties.

Relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting violations of law or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract or the issuance of a license grant or other benefit.

A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator of other duly authorized official engaged in investigation or settlement or a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of federal personnel management.

A record from this system of records may be disclosed to officers and employees of a federal agency for purposes of audit.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

Records also are released to GAO for audits; to the Internal Revenue Service for investigation; and to private attorneys, pursuant to a power of attorney.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microfilm.

Retrievability: Social Security Number.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Administrative Officer, Office of the Special Representative for Trade Negotiations, 1800 G St., NW, Washington, D.C. 20506, Room 709.

Notification procedure: Contact system manager noted above.

Record access procedures: See STR access regulations in 15 CFR Part 2005.

Contesting record procedures: See STR access regulations in 15 CFR Part 2005.

Record source categories: The subject individual; the STR.

Title 15-Commerce and Foreign Trade

Subtitle C-Regulations Relating to Foreign Trade Agreements

ChapterXX-Office of the Special Representative of Trade Negotiations

PART 2005—SAFEGUARDING INDIVIDUAL PRIVACY

Sec.
2005.0 Purpose and scope.
2005.1 Rules for determining if an individual is the subject of a record.
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Authority: Pub. L. 93-579, 88 Stat. 1896 (5 U.S.C. 552a(f)).

Source: 40 FR 48331, Oct. 14, 1975, unless otherwise noted.

§ 2005.0 Purpose and scope.

The purpose of these regulations is to provide certain safeguards for an individual against the invasion of his or her personal privacy by the Office of the Special Representative for Trade Negotiations (hereinafter frequently referred to as "STR"). These regulations are promulgated pursuant to the requirements for all Federal Agencies contained in 5 U.S.C. 552a(f).

§ 2005.1 Rules for determining if an individual is the subject of a record.

(a) Individuals desiring to know if a specific system of records maintained by STR contains a record pertaining to them should address their inquiries to the Administrative Officer, Office of the Special Representative for Trade Negotiations, Washington, D.C. 20506. The written inquiry should contain a specific reference to the system of records maintained by the STR listed in the STR Notice of Systems of Records or it should describe the type of record in sufficient detail to reasonably identify the system of records. Notice of STR systems of records subject to the Privacy Act will be published in the **Federal Register** and copies of the notices will be available upon request to the Administrative Officer when so published. A compilation of such notices will also be made and published by the Office of Federal Register, in accordance with section 5 U.S.C. 552a(f).

(b) At a minimum, the request should also contain sufficient identifying information to allow STR to determine if there is a record pertaining to the individual making the request in a particular system of records. In instances when the identification is insufficient to insure disclosure to the individual to whom the information pertains in view of the sensitivity of the information, STR reserves the right to solicit from the person requesting access to a record additional identifying information.

(c) Ordinarily the person requesting will be informed whether the named system of records contains a record pertaining to such person within 10 days of such a request (excluding Saturdays, Sundays, and legal Federal holidays). Such a response will also contain or reference the procedures which must be followed by the individual making the request in order to gain access to the record.

(d) Whenever a response cannot be made within the 10 days, the Administrative Officer will inform the person making the request the reasons for the delay and the date of which a response may be anticipated.

§ 2005.2 Requests for access.

(a) *Requirement for written requests.* Individuals desiring to gain access to a record pertaining to them in a system of records maintained by STR must submit their request in writing in accordance with the procedures set forth in paragraph (b) of this section. Individuals who are employed by the STR may make their request on a regularly scheduled workday (Monday through Friday, excluding legal Federal holidays) between the hours of 9 am and 5:30 pm. Such requests for access by individuals employed by STR need not be made in writing.

(b) *Procedures*—(1) *Content of the request.* The request for access to a record in a system of records shall be addressed to the Administrative Officer at the address cited above, and shall name the system of records or contain a description (as concise as possible) of such system of records. The request should state that the request is pursuant to the Privacy Act of 1974. In the absence of such a statement, if the request is for a record pertaining to the person requesting access which is maintained by STR in a system of records, the request will be presumed to be made under the Privacy Act of 1974. The request should contain necessary information to verify the identity of the person requesting access (see paragraph (b)(2)(vi) of this section). In addition, such person should include any other information which may assist in the rapid identification of the record for which access is being requested (e.g. maiden name, dates of employment, etc.) as well as any other identifying information contained in and required by the STR Notice of Systems of Records.

(i) If the request for access follows a prior request under § 2005.1, the same identifying information need not be included in the request for access if a reference is made to that prior correspondence or a copy of the STR response to that request is attached. If the individual specifically desires a copy of the record, the request should so specify under § 2005.4.

(2) *STR action on request.* A request for access will ordinarily be answered within 10 days, except when the Administrative Officer determines otherwise, in which case the person making the request will be informed of the reasons for the delay and an estimated date by which the request will be answered. When the request can be answered within 10 days, it shall include the following:

(i) A statement that there is a record as request or a statement that there is not a record in the systems of records maintained by STR;

(ii) A statement as to whether access will be granted only by providing a copy of the record through the mail; or the address of the location and the date and time at which the record may be examined. In the event the person requesting access is unable to meet the specified date and time, alternative arrangements may be made with the official specified in paragraph (b)(1) of this section.

(iii) A statement, when appropriate, that examination in person will be the sole means of granting access only when the Administrative Officer has determined that it would not unduly impede the right of access of the person making the request.

(iv) The amount of fees charged, if any (see §§ 2005.6 and 2005.7). (Fees are applicable only to requests for copies);

(v) The name, title, and telephone number of the STR official having operational control over the record; and

(vi) The documentation required by STR to verify the identity of the person making the request. At a minimum, STR verification standards include the following:

(A) *Current or former STR Employees.* Current or former STR employees requesting access to a record pertaining to them in a system of records maintained by STR may, in addition to the other requirements of this section, and at the sole discretion of the official having operational control over the record, have his or her identity verified by visual observation. If the current or former STR employee cannot be so identified by the official having operational control over the records, identification documentation will be required. Employee identification cards, annuitant identification, driver licenses, or the "employee copy" of any official personnel document in the record are examples of acceptable identification validation.

(B) *Other than current or former STR employees.* Individuals other than current or former STR employees requesting access to a record pertaining to them in a system of records maintained by STR must produce identification documentation of the type described in paragraph (b)(2)(vi)(A) of this section, prior to being granted access. The extent of the identification documentation required will depend on the type of record for which access is requested. In most cases, identification verification will be accomplished by the presentation of two forms of identification. Any additional requirements will be specified in the system notices published pursuant to 5 U.S.C. 552a(e)(4).

(C) *Access granted by mail.* For records to be made accessible by mail, the Administrative Officer shall, to the extent possible, establish identity by a comparison of signatures in situations where the data in the record is not so sensitive that unauthorized access could cause harm or embarrassment to the individual to whom they pertain. No identification documentation will be required for the disclosure to the person making the request of information required to be made available to the public by 5 U.S.C. 552. When, in the opinion of the Administrative Officer the granting of access through the mail could reasonably be expected to result in harm or embarrassment if disclosed to a person other than the individual to whom the record pertains, a notarized statement of identity or some similar assurance of identity will be required.

(D) *Unavailability of identification documentation.* If an individual is unable to produce adequate identification documentation the individual will be required to sign a statement asserting identity and acknowledging that knowingly or willfully seeking or obtaining access to records about another person under false pretenses may result in a fine of up to $5,000. In addition, depending upon the sensitivity of the records to which access is sought, the official having operational control over the records may require such further reasonable assurances as may be considered appropriate; e.g., statements of other individuals who can attest to the identity of the person making the request.

(E) *Access by the parent of a minor, or by a legal guardian.* A parent of a minor, upon presenting suitable personal identification, may act on behalf of the minor to gain access to any record pertaining to the minor maintained by STR in a system of records. A legal guardian may similarly act on behalf of an individual declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, upon the presentation of the documents authorizing the legal guardian to so act, and upon suitable personal identification of the guardian.

(F) *Granting access when accompanied by another individual.* When an individual requesting access to his or her record in a system of records maintained by STR wishes to be accompanied by another individual during the course of the examination of the record, the individual making the request shall submit to the official having operational control of the record, a signed statement authorizing that person access to the record.

(G) *Denial of access for inadequate identification documentation.* If the official having operation control over the records in a system of records maintained by STR determines that an individual seeking access has not provided sufficient identification documentation to permit access, the official shall consult with the Administrative officer prior to finally denying the individual access.

(vii) *Medical records.* The records in a system of records which are medical records shall be disclosed to the individual to whom they pertain in such manner and following such procedures as the Administrative Officer shall direct. When STR in consultation with a physician, determines that the disclosure of medical information could have an adverse effect upon the individual to whom it pertains, STR may transmit such information to a physician named by the individual.

(viii) *Exceptions.* Nothing in this section shall be construed to entitle an individual the right to access to any information compiled in reasonable anticipation of a civil action or proceedings.

§ 2005.3 Access to the accounting of disclosures from records.

Rules governing the granting of access to the accounting of disclosures are the same as those for granting access to the records (including verification of identity) outlined in § 2005.2.

§ 2005.4 Requests for copies of records.

Rules governing requests for copies of records are the same as those for the granting of access to the records (including verification of identity) outlined in § 2005.2. (See also § 2005.7 for rules regarding fees.)

§ 2005.5 Requests to amend records.

(a) *Requirement for written requests.* Individuals desiring to amend a record that pertains to them in a system of records maintained by STR must submit their request in writing in accordance with the procedures set forth herein unless this requirement is waived by the official having responsibility for the system of records. Records not subject to the Privacy Act of 1974 will not be amended in accordance with these provisions. However, individuals who believe that such records are inaccurate may bring this to the attention of STR.

(b) *Procedures.* (1) (i) The request to amend a record in a system of records shall be addressed to the Administrative Officer. Included in the request shall be the name of the system and a brief description of the record proposed for amendment. In the event the request to amend the record is the result of the individual's having gained access to the record in accordance with the provisions concerning access to records as set forth above, copies of previous correspondence between the individual and STR will serve in lieu of a separate description of the record.

(ii) When the individual's identity has been previously verified pursuant to § 2005.2(b)(2)(vi) herein, further verification of identity is not required as long as the communication does not suggest that a need for verification has reappeared. If the individual's identity has not been previously verified, STR may require identification validation as described in § 2005.2(b)(2)(vi). Individuals desiring assistance in the preparation of a request to amend a record should contact the Administrative Officer at the address cited above.

(iii) The exact portion of the record the individual seeks to have amended should be clearly indicated. If possible, the proposed alternative language should also be set forth, or at a minimum, the facts which the individual believes are not accurate, relevant, timely, or complete should be set forth with such particularity as to permit STR not only to understand the individual's basis for the request, but also to make an appropriate amendment to the record.

(iv) The request must also set forth the reasons why the individual believes his record is not accurate, relevant, timely, or complete. In order to avoid the retention by STR of personal information merely to permit verification of records, the burden of persuading STR to amend a record will be upon the individual. The individual must furnish sufficient facts to persuade the official in charge of the system of the inaccuracy, irrelevancy, untimeliness, or incompleteness of the record.

(2) *STR action on the request.* To the extent possible, a decision upon a request to amend a record will be made within 10 days, excluding Saturdays, Sundays, and legal Federal holidays. In the event a decision cannot be made within this time frame, the individual making the request will be informed within 10 days of the expected date for a decision. The decision upon a request for amendment will include the following:

(i) The decision of the STR whether to grant in whole, or deny any part of the request to amend the record.

(ii) The reasons for the determination for any portion of the request which is denied.

(iii) The name and address of the official with whom an appeal of the denial may be lodged.

(iv) The name and address of the official designated to assist, as necessary, and upon request of, the individual making the request in the preparation of the appeal.

(v) A description of the review of the appeal within STR (see § 2005.6).

(vi) A description of any other procedures which may be required of the individual in order to process the appeal.

§ 2005.6 Request for review.

(a) Individuals wishing to request a review of the decision by STR with regard to an initial request to amend a record in accordance with the provisions of § 2005.5, should submit the request for review in writing and, to the extent possible, include the information specified in § 2005.5(a). Individuals desiring assistance in the preparation of their request for review should contact the Administrative Officer at the address provided herein.

(b) The request for review should contain a brief description of the record involved or in lieu thereof, copies of the correspondence from STR in which the request to amend was denied and also the reasons why the individual believes that the disputed information should be amended. The request for review should make reference to the information furnished by the individual in support of his claim and the reasons, as required by § 2005.5, set forth by STR in its decision denying the amendment. Appeals filed without a complete statement by the person making the request setting forth the reasons for the review will, of course, be processed. However, in order to make the appellate process as meaningful as possible, such person's disagreement should be understandably set forth. In order to avoid the unnecessary retention of personal information, STR reserves the right to dispose of the material concerning the request to amend a record if no request for review in accordance with this section is received by STR within 180 days of the mailing by STR of its decision upon an initial request. A request for review received after the 180 day period may, at the discretion of the Administrative Officer, be treated as an initial request to amend a record.

(c) The request for review should be addressed to the Freedom of Information Appeals Committee (established in 15 CFR 2004.7) Office of the Special Representative for Trade Negotiations, Room 719, 1800 G St. NW., Washington, D.C. 20506.

(d) Final determinations on requests for reviews within STR will be made by the Freedom of Information Appeals Committee, chaired by the Special Representative for Trade Negotiations. Additional information may be requested by the Committee from the person requesting a review if necessary to make a determination.

(e) The FOI Appeals Committee will inform the person making the request in writing of the decision on the request for review within 30 days (excluding Saturdays, Sundays, and legal Federal holidays) from the date of receipt by STR of the individual's request for review, unless the Committee extends the 30 day period for good cause. The extension and the reasons therefor will be sent by STR to the individual within the initial 30 day period. Included in the notice of a decision being reviewed, if the decision does not grant in full the request for review, will be a description of the steps the individual may take to obtain judicial review of such a decision, and a statement that the individual may file a concise statement with STR setting forth the individual's reasons for his disagreement with the decision upon the request for review. The STR Administrative Officer has the authority to determine the "conciseness" of the statement, taking into account the scope of the disagreement and the complexity of the issues. Upon the filing of a proper concise statement by the individual, any subsequent disclosure of the information in dispute will have the information in dispute clearly noted and a copy of the concise statement furnished, setting forth its reasons for not making the requested changes, if STR chooses to file such a statement. A copy of the individual's statement, and if it chooses, STR's statement, will be sent to any prior transferee of the disputed information who is listed on the accounting required by 5 U.S.C. 552a(c).

§ 2005.7 Schedule of fees.

(a) *Prohibitions against charging fees.* Individuals will not be charged for:

(1) The search and review of the record;

(2) Any copies of the record produced as a necessary part of the process of making the record available for access; or

(3) Any copies of the requested record when it has been determined that access can only be accomplished by providing a copy of the record through the mail.

(b) *Waiver.* The Administrative Officer may, at no charge, provide copies of a record if it is determined the production of the copies is in the interest of the Government.

(c) *Fee schedule and method of payment.* Fees will be charged as provided below except as provided in paragraphs (a) and (b) of this section.

(1) Duplication of records. Records will be duplicated at a rate of $.10 per page for all copying of 4 pages or more. There is no charge for duplicating 3 or fewer pages.

(2) Where it is anticipated that the fees chargeable under this section will amount to more than $25, the person making the request shall be promptly notified of the amount of the anticipated fee or such portion thereof as can readily be estimated. In instances where the estimated fees will greatly exceed $25, an advance deposit may be required. The notice or request for an advance deposit shall extend an offer to the person requesting to consult with the Administrative Officer in order to reformulate the request in a manner which will reduce the fees, yet still meet the needs of individuals making the request.

(3) Fees must be paid in full prior to issuance of requested copies. In the event the person requesting is in arrears for previous requests copies will not be provided for any subsequent request until the arrears have been paid in full.

(4) Remittances shall be in the form either of a personal check or bank draft drawn on a bank in the United States, or a postal money order. Remittances shall be made payable to the order of the Treasury of the United States and mailed or delivered to the Administrative Officer, Office of the Special Representative for Trade Negotiations, 1800 G St., NW., Washington, D.C., 20506.

(5) A receipt for fees paid will be given upon request.

UNITED STATES INFORMATION AGENCY

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USICA—1

System name: Americans Residing in Foreign Countries—USICA.

System location: The International Communication Agency maintains establishments overseas in 120 foreign countries, which are designated as mission posts, branch posts, regional service centers, VOA relay stations and media extensions. A current listing of names and addresses of overseas establishments is not considered practical for Privacy Act purposes, due to the fact that such a list would require frequent amendment. Changing of office locations, opening of new offices, closing of established offices and realignment of geographic areas have become practical realities in conducting the Agency's mission overseas. Individuals who feel that records pertaining to themselves are maintained at any of our overseas locations may contact the Agency's Office of Congressional and Public Liaison, Room 1019, 1750 Pennsylvania Avenue, NW, Washington, D.C., 20547. The Agency maintains an index of its records, including a current listing of overseas posts, which is available to the public as indicated in 22 CFR Ch. V, Sec. 504.2.

Categories of individuals covered by the system: American citizens and aliens admitted for permanent U.S. residence, who are residing Overseas, i.e., journalists, businessmen, scholars, artists, representatives of other U.S. Government agencies, missionaries.

Categories of records in the system: Names and addresses.

Authority for maintenance of the system: Pub. L. 402, Information and Educational Exchange Act of 1948; Federal Records Act, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Distribution of printed matter; invitation lists of official social functions and programs; selection of candidates for temporary employment, as needed; location of specialist to arrange, conduct, appear in or appraise Agency programs organized overseas; press briefings for American journalists residing in foreign countries; appraisal of American specialists whose services are utilized in Agency programming overseas.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies having statutory or other legal authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Addressograph plates or paper records in file folders.

Retrievability: By name of the individual.

Safeguards: Records are kept in locked file cabinets or in locked rooms when not in use.

Retention and disposal: Records are updated regularly, and metal plates or paper files no longer useful or current are destroyed.

System manager(s) and address: See "System Location" above.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C., 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information obtained from the individual concerned.

USICA—2

System name: Artists and Speakers-NEA.

System location: Office of the Assistant Director of North African, Near Eastern and South Asian Affairs, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Artists and speakers considered qualified to conduct programs at USICA's overseas posts in the Near East, North Africa and South Asia.

Categories of records in the system: Biographic data on speakers and artists; evaluation reports of past service with USICA; travel arrangements; program arrangements.

Authority for maintenance of the system: The Federal Records Act, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide basic personnel and program information in order to arrange regional schedules for speakers and artists. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By the name of the individual concerned.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records are held as long as the individual is a prospective speaker or artist needed for or willing to conduct programs overseas.

System manager(s) and address: Office of Director, North African, Near Eastern and South Asian Affairs, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information provided by the individual artists and speakers; evaluation of speaker or artist by overseas posts; public documents and publications.

USICA—3

System name: Bidders Mailing List Application-MGT/AC.

System location: International Communication Agency, Contract and Procurement Division, 1717 H Street, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Prospective Government contractors and Agency contractors.

Categories of records in the system: Information is contained on a standard form which requests the individual's name and address, type of business, number of employees, average annual sales or receipts, facilities (space), net worth, security clearances held, and a certification of the accuracy of the information provided on the form.

Authority for maintenance of the system: Federal Procurement Regulations (41 CFR 1-2.205-1(c) and 1-16.802).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To prepare the Agency's Bidders Mailing List and for use of contracting specialists to determine adequacy of facilities, and financial responsibility of prospective contractors. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

The principal user of this information outside the International Communication Agency is the General Services Administration.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information included on Standard Form 129, and maintained in binders.

Retrievability: By the name of the individual.

Safeguards: Maintained in combination lock file cabinet, available only to authorized personnel.

Retention and disposal: A routine update of information is conducted approximately every five years. Outdated information disposed of by burning.

System manager(s) and address: Agency Contracting Officer, Contract and Procurement Division, 1717 H Street, NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information provided by individuals, companies and corporations.

USICA—4

System name: Contract Talent and Employee Recruitment Files-PGM/T.

System location: International Communication Agency, Television and Film Service, 601 "D" Street, NW, Washington, D.C. 20547. International Communication Agency, Television and Film Service, 1657 Broadway, New York, New York 10019.

Categories of individuals covered by the system: Job applicants; professional talent specialists in languages, camera, acting, etc., contractual motion picture and television producers.

Categories of records in the system: Records on individuals who have applied for employment as free-lance talent; correspondence between contractual motion picture and television producers; film review sheets; producer questionnaire forms; duplicate copies of security clearance information on talent vendors and contractual producers; card files on applicants for employment with USICA's Television Service and Film Service.

Authority for maintenance of the system: Federal Records Act, 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To identify sources for contract productions; to identify individuals who have applied to USICA for employment as free-lance talent vendors; to fill vacant positions in production and/or technical positions as they become vacant; to determine security clearance status of contractual individuals or companies. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these files is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card records and paper records in file folders.

Retrievability: By name of the individual concerned.

Safeguards: Maintained in locked file cabinets and available only to authorized personnel.

Retention and disposal: Records on talent vendors and contractual producers retained indefinitely; records on job applicants retained for ten years, and disposed of in accordance with internal schedules for retention and disposal of files.

System manager(s) and address: Chief, Television and Film Service, 601 "D" Street, NW, Washington, D.C. 20001. Executive Officer, Television and Film Service, 601 "D" Street, NW, Washington, D.C 20001.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Provided by vendors, contractors and job applicants concerned; by employees of USICA's Television and Film Service.

USICA—5

System name: Contract Talent Vendor Files-VOA.

System location: International Communication Agency, Voice of America, HEW North Building, 330 Independence Ave., SW, Washington, D.C. 20547.

International Communication Agency, Voice of America, 25 "M" Street, SW, Washington, D.C. 20547.

Categories of individuals covered by the system: All contract talent vendors who perform free-lance services in the U.S. for the Voice of America.

Categories of records in the system: Records and information pertaining to the testing and qualifications of vendors; security clearance applications and approvals; copies of contracts, and detailed record of services performed by vendors and payments made by VOA for these services.

Authority for maintenance of the system: Pub. L. 402: United States Information & Educational Exchange Act of 1974, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Provide necessary reference information for use by VOA administrative offices in meeting their daily responsibilities of advising on and coordinating programming and fiscal activities relating to the recruitment and contracting of free-lance talent vendors. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties. These records are not normally available to individuals and agencies outside the International Communication Agency, but information may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All information is retained in document form in file folders.

Retrievability: Files are indexed alphabetically by vendor.

Safeguards: All files are locked in security-approved file cabinets. Access to files is permitted only to administrative staffs and other top management officials having a need to know such information in the normal performance of their duties.

Retention and disposal: Files are retained for three to four years after last date of services rendered by vendor, after which time files are then destroyed in accordance with established USICA records disposal procedures.

System manager(s) and address: Director of Administration, Voice of America, Room 3360, HEW North Building, 330 Independence Ave., SW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information is received from vendor (application forms); from USICA Security Office (approval of security clearance request); from documents generated through the normal process of using a vendor and making payments for services rendered (purchase orders and payment records).

USICA—6

System name: Office of Cultural Centers and Resources Recruitment Files-ECA/F.

System location: International Communication Agency, Educational and Cultural Affairs, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: American Scholars who may be used as consultants or specialists in American studies domestically or overseas; applicants for employment, contracts or grants with regard to USICA's Library Program and Library Fellows; applicants for employment, contracts or grants with regard to USICA's English Teaching Program; other applicants for employment, contracts or grants with regard to specific positions in overseas cultural operations.

Categories of records in the system: Biographic data on American Scholars provided by the individuals themselves upon request; biographic data on applicants for employment, contracts and grants including previous employment, education, recommendations and security clearance status; library field reports, comments and evaluation on library visits written by Public Affairs Officers, and letters of correspondence between supervisors and librarians.

Authority for maintenance of the system: Executive Order 11034, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Screening of applicants for employment, contracts or grants, for appraisal by Agency's geographic area offices and Public Affairs Officers located overseas; evaluation by Library Program Staff of candidates for librarian positions; to develop work requirements for regional librarians; to identify scholars with skills related to academic projects. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal user of this information outside the International Communication Agency is the U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name of the individual.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Files retained as long as they are of active interest or the individual is employed. Inactive files destroyed by burning.

System manager(s) and address: Director, Office of Cultural Centers and Resources, 1717 H St., NW, Washington D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Records on American Scholars provided by applicants; records on all other applicants are submitted to the Agency or authorized by the applicants.

USICA—7

System name: Director's Secretariat Staff Files D/SS.

System location: International Communication Agency, Executive Secretariat, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Members of the White House Staff, Congressmen, heads of other executive agencies of the Federal Government, Federal Judges and members of the general public.

Categories of records in the system: Correspondence addressed to the director of USICA, and copies of responses to requests for reports, information and/or assistance of various kinds prepared by the Director or his or her designated representative.

Authority for maintenance of the system: The Federal Records Act of 1950, as amended, 44 USC 3101-3107; Records Disposal Act of 1943, as amended, 44 USC 3301-3314.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reference file to provide oversight of the flow of requests to the USICA Director for reports, information and/or assistance of various kinds, and to monitor the accomplishment of responses to such requests. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored in a computer maintained by and located within the U.S. Department of State, and maintained as paper records in file folders in USICA.

Retrievability: Records are cross-indexed by individual name and by computer reference number.

Safeguards: Computer records are accessible only to authorized employees of the International Communication Agency or the Department of State. Paper records are kept in locked file cabinets.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Chief, Executive Secretariat, International Communication Agency, 1750 Pennsylvania Ave., NW Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Unsolicited correspondence from U.S. Government officials and members of the general public addressed to the Director of USICA.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H) and (f). See amendments to 22 CFR, Chapter V, Sec. 505.15 as published in the proposed rules section of the Federal Register for December 10, 1976.

USICA—8

System name: Employee Administrative Files VOA.

System location: International Communication Agency, Voice of America, HEW North Building, 330 Independence Avenue, SW, Washington, D.C. 20547.

International Communication Agency, Voice of America, Engineering Division, 25 "M" Street, SW, Washington, D.C., 20547.

Also see Appendix II for locations of domestic relay stations.

Categories of individuals covered by the system: Voice of America domestic employees and overseas American employees.

Categories of records in the system: Records and information pertaining to testing, recruitment and appointment of employees (application forms, fiscal documents covering related expenses); records concerning post-appointment changes in employee skills, qualifications, and experience; copies of SF-50 "Notice of Personnel Action" and payroll change slips.

Authority for maintenance of the system: Pub. L. 402, United States Information and Educational Exchange Act of 1948, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Files maintained for convenience due to physical separation from Personnel Office; provide necessary background/reference information for use by VOA Administrative Offices in meeting their daily responsibilities of advising on and coordinating programming, personnel and fiscal activities relating to recruitment, hiring and employment of staff employees. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

These records are not normally available to individuals and agencies outside the International Communication Agency, but information may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All information is retained in document form in file folders.

Retrievability: Files are indexed alphabetically by employee name.

Safeguards: All files are locked in security-approved file cabinets. Access to files is permitted only to administrative staffs and other top management officials having a need-to-know such information in the normal performance of their duties.

Retention and disposal: Files may be retained for up to ten years after departure of employee, then destroyed in accordance with established USICA records disposal procedures. Copies of documents for which originals exist in Official Personnel Folders and which are removed from official personnel folders when an employee resigns, are also removed from administrative files and destroyed.

System manager(s) and address: Director of Administration, Voice of America, Room 3360, HEW North Building, 330 Independence Avenue, SW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information is received from employees (application forms); from employees' supervisors (employees' experience, performance, and recommendations for promotions, etc.); from organizational personnel and fiscal elements (SF-50 personnel actions, payroll change slips, etc.).

USICA—9

System name: Retirement and Insurance Records—MGT/P-USICA.

System location: International Communications Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Agency employees in retirement processing; approaching mandatory retirement, or actually retired from the Agency.

Categories of records in the system: Retirement service history (Agency only); computer listing of (1) persons retiring mandatorily within 90 days; (2) persons who are projected to retire within 5 years. Lists give name, DOB, SCD, Grade/Step, Salary, Location code, Retirement code.

Authority for maintenance of the system: FPM Supplement 831-1, 51, 58-2; 3 FAM 670; 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Processing retirement applications and counselling prospective retirees on annuities and other benefits. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties. The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Manually by name of employee.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Retirement files retained indefinitely. Old computer listing destroyed when updated; individual retirement computation worksheets filed in employee's retirement file.

System manager(s) and address: Chief, Retirement and Insurance Branch, Office of Personnel Services (MGT/PDR), 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Notification procedure: Office of Congressional and Public Liaison (CPL), 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Record access procedures: Requests from individual should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access, contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Employees; official personnel folder; supervisors; Agency's payroll and leave office; Civil Service Commission; Foreign Service Retirement Board.

USICA—10

System name: Employee Indentification Card and Photograph File-MGT/S

System location: International Communication Agency, Office of Security, 1425 K Street, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Current and past employees of the International Communication Agency.

Categories of records in the system: Personal description; date of birth; height; weight; color of hair and eyes; color photograph of full face.

Authority for maintenance of the system: Executive Order 11652 dated March 8, 1972.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Personal proof of employee identity; to provide Passport photos of employee and dependents for official use; provide photographs for official use by the Office of

Congressional and Public Liaison (USICA) and other Agency elements having official need to have visual identification records, such as a Senior Officer Staffing display. Photographs are also available to employees for official uses. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal user of this information outside the International Communication Agency is the U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Written form record and photograph film.

Retrievability: By name of the individual employee.

Safeguards: Access by security-cleared employees having a need-to-know. When not in personal custody during processing, stored in combination-locked security container.

Retention and disposal: Records of former employees destroyed after five years under security controls. Records of current employees retained indefinitely, or until employee is separated.

System manager(s) and address: Director (USICA), Office of Security, 1925 K Street, NW, Washington, D.C., 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, DC 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Applicant and employment records (with verification from the individual concerned).

USICA—11

System name: Employee Payroll and Retirement System-MGT/CF.

System location: International Communication Agency, Financial Operations Division, 1717 H ST. NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Employees currently on Agency rolls.

Categories of records in the system: Civil Service and Foreign Service individual retirement records, time and attendance records (domestic employees only), master employee registers (domestic only), payroll folders, overseas pay cards for foreign service employees.

Authority for maintenance of the system: Section 113 of the Budget and Accounting Procedures Act of 1950 as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To assure proper salary payment to employees and for reference regarding salary history; master record of employee accumulation and use of annual and sick leave; recording of employee contributions to the Civil Service and Foreign Service Retirement Systems. Also see Prefatory Statement of General Routine Uses.

Information is made available to personnel of the International Communication Agency on a need-to-know basis or as may be required in the performance of their official duties.

The principal users of this information outside the International Communication Agency are the U.S. Treasury, the Civil Service Commission, and the Director General of the Foreign Service, U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Time and attendance cards maintained on punched cards; retirement records are recorded on 5 x 7 cards and maintained in a file cabinet; the master employee register is a computer report; payroll records are maintained in manila folders; overseas pay cards are manually prepared or maintained as a computer report, depending upon the facilities available at various overseas locations.

Retrievability: By the name of the individual employee.

Safeguards: Records maintained in various types of containers; security provided by surveillance of responsible employees during working hours, and by building security guards during non-working hours.

Retention and disposal: Retirement records are forwarded to the Civil Service Commission for domestic employees, and the State Department for foreign service employees, upon retirement, resignation or transfer of employee. Payroll records are retired to Federal Records Center, St. Louis, after two years.

System manager(s) and address: Chief, Financial Operations Division, 1717 H St., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Various forms provided by individual and by USICA's Office of Personnel Services, i.e., personnel action forms, payroll change forms, Federal and state withholding exemption certificates, employee allotment deduction forms, time and attendance cards.

USICA—12

System name: Employee Relations Files—MGT/P—USICA.

System location: International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547

Categories of individuals covered by the system: Employees who have filed informal grievances or complaints, or formal grievances for Agency level review; employees affected by workforce or element reorganization; employees for whom special disciplinary actions are in process.

Categories of records in the system: All appropriate documents necessary in the processing of a grievance, such as position descriptions, performance evaluations, grievance investigation reports statements of supervisors, witnesses, representatives of grievant, and miscellaneous housekeeping records.

Authority for maintenance of the system: Agency's Manual of Operations and Administration; FPM 511—Subchapter 6; 44 USC 3101; Pub.L. 93-181; FPM Letter 630-22, FPM Chapters 335, 752, 831.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Investigation and resolution of employee grievances; provide information to the Foreign Service Grievance Board or Federal Appeals Boards as appropriate or necessary; provide investigatory or background materials to grievants or their representatives; provide information to the Agency's General Counsel in connection with the processing of a grievance, the prosecution of an appeal, or the processing of an adverse action. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency (ICA) in the performance of their official duties. The principal users of this information outside the International Communication Agency are: The Civil Service Commission, the Department of Justice; other federal, state and local law enforcement or agencies or accredited investigators. Information may also be released to other government agencies which have statutory or other legal authority to access or maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name of individual.

Safeguards: Maintained in locked file cabinets; grievance files are extremely confidential and are protected as such.

Retention and disposal: Records retained indefinitely or until no longer needed.

System manager(s) and address: Chief, Labor Relations Branch (MGT/PPL), Office of Personnel Services, International Communication Agency, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Notification procedure: Office of Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Individual to whom the record pertains; Agency officials; affidavits or statements from employees; testimony of witnesses; correspondence from specific organizations or persons; employee's representative; and official documents relating to the appeal grievance or complaint.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f). See 22 CFR 505.15 as published in the Federal Register in July 21, 1976 (41 FR 30029).

USICA—13

System name: Employee Training Files—MGT/PT—USICA.

System location: International Communication Agency, Office of Personnel Services, Training and Development Division, 1425 K Street, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Agency employees receiving training: Workshops, languages, lectures or seminars, university or service colleges; personnel and management interns.

Categories of records in the system: Employee training applications, biographic data, educational background, record of training received by the Agency, outline of training program, performance evaluation extracts; language proficiency and test scores, course grade, and employee's evaluation of training courses.

Authority for maintenance of the system: Pub.L. 85-507, 72 Stat. 335, Reorganization Plan No. 8 of 1953, 22 U.S.C. 1461, 67 Stat. 642, Pub.L. 79-724, Foreign Service Act of 1946, as amended, FPM 410, Subch. 3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Background material used to determine eligibility for training; assignment and progress in language courses; used by career counselors to determine training needs, justification of training reports and recordkeeping; evaluation of intern training and potential for job growth; used to evaluate and select lecturers for agency workshops or seminars; preparation of reports to Congress and other government agencies on training provided and costs, as well as projected training needs and costs. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal users of this information outside the Agency are: The Civil Service Commission; personnel officers in other government agencies as a result of transfer of the individual to whom the records pertain; other agencies considering employees for detail purposes; accredited investigators.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Manually retrieved by name, by computer generated lists of training statistics, or by training course title.

Safeguards: File maintained in locked cabinets or protected by routine office safeguards, i.e., surveillance by responsible personnel and disclosure only to authorized individuals.

Retention and disposal: Training records maintained until employee is separated, at which time records are included with official personnel folder; other records are retained indefinitely or until no longer needed; budget records and cost statistics retained indefinitely.

System manager(s) and address: Chief, Training & Development Division (MGT/PT), Office of Personnel Services, 1425 K Street, NW, Washington, D.C. 20547.

Notification procedure: Office of Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Office of Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determination by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: The employee; employment applications; official personnel records; personnel action forms; personnel officers; training officers and other officers, involved in personnel management; supervisors; training records; application for training; trainee evaluations of courses.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f). See 22 CFR 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

USICA—14

System name: Employee's Confidential Statement of Employment and Financial Interests-GC.

System location: International Communication Agency, Office of the General Counsel, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Experts or consultants, employees paid at the Executive Schedule level; employees classified at GS-13, FSIO-4, FSR-5, FSS-2, or above, who are in positions of responsibility for a Government decision or taking a Government action in regard to: (1) Contracting or procurement; (2) Administering or monitoring grants or subsidies; (3) regulating or auditing private or other non-Federal enterprise; or required to report employment and financial interests in order to avoid possible conflicts of interest.

Categories of records in the system: Statements of personal and family shareholdings and other interest in business enterprises; copies of blind trust and other agreements pertaining to such interests; correspondence as to insulation of control or conflicts of interest; opinions of counsel, including recommendations on waivers.

Authority for maintenance of the system: E.O. 11222; 5 U.S.C. 7301; 18 U.S.C. 208.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Review by Assistant General Counsel for possible conflict of interest. Provide necessary reference information should allegations of conflict of interest arise. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally made available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Alphabetically by name and by Agency element or geographic area.

Safeguards: Maintained in bar-lock cabinet.

Retention and disposal: Disposed of 2 years after employee leaves a position in which a statement is required, or 2 years after the employee is separated from the Agency, whichever is earlier.

System manager(s) and address: General Counsel, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director, (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the individual who filed the statement.

USICA—15

System name: Equal Empoyment Opportunity Complaint Files—MGT/E.

System location: Office of Equal Employment Opportunity, International Communication Agency, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Any aggrieved employee or applicant for employment with USICA who believes he or she has been discriminated against because of race, color, religion, sex, national origin, and/or age, and who has consulted with an Equal Opportunity Counselor of the Agency or a member of the EEO Staff about the matter.

Categories of records in the system: Communications of EEO Counselor with aggrieved person, written report of precomplaint counseling efforts by the EEO Counselor, the complaint, the investigative file, written records of adjustment of complaint; written record of complaint withdrawal by complainant, Agency letter proposing disposition of the case, transcripts of hearing, Agency letter advising of final disposition of the case.

Authority for maintenance of the system: FPM Suppl. 990-1 (Part 713).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To record actions taken, with verifying statements, regarding employees' and employment applicants' complaints of discrimination. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal users of this information outside the International Communication Agency are the Civil Service Commission and the Department of Justice.

The information may also be released to other Government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders

Retrievability: Indexed by the individual's last name.

Safeguards: Records are stored in cabinets with bar locks. Except for copy of individual file provided to complainant and/or his or her representative, and copies furnished as needed to the office of the USICA General Counsel, and to officials of the Civil Service Commission and the Department of Justice, files are not removed from the EEO Office.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director (USICA), Equal Employment Opportunity, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Personal interviews, affidavits, USICA personnel and employment records and procedures, transcript of hearings, and related correspondence.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). See 22 CFR 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

USICA—16

System name: Equal Employment Opportunity General Files MGT/E.

System location: International Communication Agency, Office of Equal Employment Opportunity, 1750 Pennsylvania Ave., NW, Washington,D.C. 20547.

Categories of individuals covered by the system: Employees of the Office of Equal Employment Opportunity; employees selected for employment and applicants for positions with USICA; significant women, minority group members, and specialists in the area of Equal Employment Opportunity.

Categories of records in the system: Copies of applications and resumes of women and minority group members seeking employment with USICA; biographical materials describing significant women, minority group members and specialists in the area of Equal Employment Opportunity who can be used as speakers, selection board members, and consultants; miscellaneous information about individual employees and job applicants involved in the USICA Equal Employment Opportunity Affirmative Action Plan; training requests, travel documents, and notices of personnel actions for employees of the Office of Equal Employment Opportunity.

Authority for maintenance of the system: FPM Supplement 990-1, Part 713.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To supply names of women and minority group candidates to USICA recruitment officers; determine effectiveness of Agency's female and minority recruitment programs; select significant Equal Employment Opportunity speakers, consultants, and selection board members; maintain records of significant personnel actions involving employees in the Office of Equal Employment Opportunity. Also see Prefatory Statement of General Routine uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

This information is available upon request to the Civil Service Commission.

The information may also be released to other Government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Indexed by individual name and types of activity, e.g., speaker's file, Affirmative Action Plan file, travel file.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records maintained indefinitely.

System manager(s) and address: Director (USICA), Equal Employment Opportunity, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Correspondence; memos of conversation; Agency records of personnel actions; published biographical sources.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(l), (e)(4)(G), (H), and (I), and (f). See 22 CFR 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

USICA—17

System name: Foreign Service Selection Board Files-MGT/P-USICA.

System location: International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, NW, Washington, D.C., 20547.

Categories of individuals covered by the system: Foreign Service employees of the Agency.

Categories of records in the system: Preprinted 5 x 8 cards containing data such as name, class, specialty code, position, date OER received by MGT/P; as appropriate, letters of commendation or low-ranking and comments of the selection boards on foreign service promotions contained in letter files.

Authority for maintenance of the system: Foreign Service Act of 1946, as amended, Sec. 611; 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Preparaton of promotion projections and foreign service information officer nominations lists; used to monitor and control receipt of Officer Evaluation Reports by MGT/P; used to prepare files and other information for Selection Boards may be used by Agency's Equal Employment Opportunity Officer, or the Labor Relations Branch (grievance examiners) in the event of an employee grievance. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal user of this information outside the USICA is the Director General of the Foreign Service, U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and card records in file folders or metal card files.

Retrievability: Manually retrieved by individually name and class.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Maintained during period of employment with the Agency; records destroyed upon separation of the employee.

System manager(s) and address: Chief, Policies and Services Staff, Office of Personnel Services (MGT/PPS), 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Notification procedure: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in Rules Section of the Federal Register.

Record source categories: Reports of Selection Boards on the review of pertinent promotion documentation such as officer evaluation; notifications of personnel actions; foreign service residency and dependency reports; notifications to officers of low ranking; materials submitted by officer on his or her own behalf.

USICA—18

System name: Congressional Correspondence—CPL/USICA.

System location: International Communication Agency, Office of (USICA) Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Current and former Members of Congress.

Categories of records in the system: Incoming and outgoing correspondence to Members of Congress, including requests for information and referral of job applicants by Members.

Authority for maintenance of the system: Federal Records Act of 1950, as amended, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reference file for oversight of Congressional requests. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency, as may be required in the performance of their duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Indexed alphabetically by individual name.

Safeguards: Maintained in bar-lock file cabinets.

Retention and disposal: Records are kept as long as the individual is a Member of Congress, or the files are of active interest. Thereafter the records are destroyed.

System manager(s) and address: Director, Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Communications from Members of Congress and copies of responses generated by various Agency personnel.

USICA—19

System name: Legal Files—GC.

System location: International Communication Agency, Office of the General Counsel, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Individuals who have filed grievances or discrimination complaints; employees separated or considered for separation for cause; officers selected out; individuals taking legal action against the Agency or its employees; tort claimants and accident victims; employees and related persons for whom legislative action is sought; personal property loss claimants; employees and applicants raising legal issues concerning rights or benefits.

Categories of records in the system: Investigatory reports; litigation reports; pre-hearing and trial preparatory materials; evidence for discovery and submission to hearing officers or courts; pleadings, briefs, transcripts, decisions and other related documents.

Authority for maintenance of the system: The Federal Records Act as amended, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To represent the Agency in claims and other actions; to issue legal opinions or determinations on further Agency action. Also see Prefatory Statement of General Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal users of this information outside the Agency are the Department of Justice, Department of State, Civil Service Commission, Foreign Service Grievance Board and the Employee Management Relations Committee.

Records contained in these files may be released to agencies outside the International Communication Agency who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By the name of the individual, and the nature of the legal action.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records may be retained indefinitely or disposed of when no longer useful or current.

System manager(s) and address: General Counsel, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information provided by the individuals and their attorneys or representatives, and by employees of the Agency; information produced in the processing of a claim, grievance, legal action or issue.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(2) and (k)(5), all investigatory material in the record which meets the criteria of these subsections is exempted from the notice, access and contest requirements (under 5 U.S.C. 552(a)(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Agency regulations in order for the Agency's legal staff to properly perform its functions. See also 22 CFR 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

USICA—20

System name: Locator Cards—MGT/AA.

System location: International Communication Agency, Domestic Support Division, Administrative Office, 1717 H Street, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Past and present domestic employees of USICA.

Categories of records in the system: Locator card prepared for each domestic employee, containing the name, office location, telephone number, home address and telephone number of person to contact in case of emergency.

Authority for maintenance of the system: USICA's Manual of Operations and Administration, Part-II 495.2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To assist USICA elements and others in locating employees; basic input source for telephone directory; also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Material maintained on index cards.

Retrievability: Filed alphabetically by name, sorted as to active and inactive.

Safeguards: Cards maintained in index card boxes which are locked in bar-lock cabinets after working hours.

Retention and disposal: Cards retained for one year after departure of employee and disposed of by shredding.

System manager(s) and address: Chief, Office of Administrative Services, Room 600, 1717 H Street, NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: The individual on whom information is maintained.

USICA—21

System name: Employee Master Personnel Records—MGT/P-USICA.

System location: International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547; and International Communication Agency, 300 "C" Street, SW, Washington, D.C. 20547. Computer tape and disc records are located in the Automatic Data Processing Division (MGT/AP), International Communication Agency, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: All Agency employees and reimbursables from other agencies.

Categories of records in the system: Data on employee's work experience, assignments, promotions, transfers, within-grade increases, personnel actions, commendations, evaluations of work performance, medical information, training certificates, home address, next-of-kin information, information related to security clearances, suspense reports on various events, such as appointment expiration dates, date probation ends, date promotion eligibility, expiration of LWOP, etc.

Authority for maintenance of the system: Executive Order 10561; FPM Chapter 291-93; 5 U.S.C. 13-2, 2951, 4118, 4308, 4506, FPM Chapter 713, Subchapter 3; Executive Order 14492; 44 U.S.C. 3101; FPM Chapter 732.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To prepare reports required by the Civil Service Commission, Congress and OMB; used by the Civil Service Commission and investigatory agencies to verify employee statements on applications for employment with other agencies; investigation of discrimination complaints; statistical reporting to the CSC on minority employment, handicap programs, and other special programs; control of personnel ceilings; project and assess personnel movement dynamics; conducting security check and updating security clearances; preparation of employee performance rating and evaluations; evaluation of work performance are reviewed by Officer Evaluation Report Review Panel to correct technical deficiencies in reporting and improving quality of evaluation; used by Selection Boards and Merit Promotion Panels to determine whether employees should be recommended for promotion; used for routine personnel management and administration. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Principal users of this information outside the International Communication Agency are: The Civil Service Commission, the Department of State, the Office of Management and Budget, the General Accounting Office, and personnel offices of other government agencies when an employee seeks transfer or detail; accredited investigators.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer disc and magnetic tape; computer printouts, visual card files, paper records in file folders.

Retrievability: By employee name, agency element, employee identification number, grade/class, tenure code, and other data elements.

Safeguards: Computer files are stored internally in the computer or in locked tape file cabinets and cannot be physically accessed except by authorized personnel; paper files and card trays locked in metal cabinets; room holding files is secured; access controlled by "sign out" records; computer access to EEO related or minority identification data strictly controlled by written direction of Director, Office of Equal Employment Opportunity.

Retention and disposal: Computer printouts destroyed by shredding or burning when new listings are produced; computer tapes retained indefinitely; other records retained until employee is separated, and then disposed of by transfer to the Civil Service Commission, other employing agency, Federal Records Center, or destruction as directed by internal agency regulations.

System manager(s) and address: Chief, Transactions and Files Staff (MGT/PDT), Office of Personnel Services, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Notification procedure: Office of Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Office of Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules to access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Employee; employment applications; official personnel records, personnel action forms; administrative file; budget and personnel authorizations; employees' supervisors; USICA Office of Security; training officers and other officials involved in personnel management.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e), (1), (e)(4) (G), (H), (I), and (f). See 22 CFR 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

USICA—22

System name: Non-Official Personnel Files—USICA.

System location: International Communication Agency, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

International Communication Agency, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

International Communication Agency, 1717 "H" Street, NW, Washington, D.C. 20547.

International Communication Agency, 601 "D" Street, NW, Washington, D.C. 20547.

International Communication Agency, 1425 "K" Street, NW, Washington, D.C. 20547.

See Appendix I for details of offices located in Washington, D.C.

See Appendix II for the locations of Agency offices located outside of Washington, D.C.

Categories of individuals covered by the system: Current employees and employees of other agencies detailed to USICA, and who are assigned to any of the following Agency elements:

- Office of the Director
- Associate Directorate for Programs
  - Office of Research and Evaluation
  - Television and Film Service
  - Press and Publications Service

  - Exhibits Service
- Associate Directorate for Management
  - Office of Equal Employment Opportunity
  - Office of Security
  - Office of Personnel Services
  - Office of Administrative Services
- Associate Directorate for Educational and Cultural Affairs
  - Office of Cultural Centers and Resources
- Office of Congressional and Public Liaison
- Office of General Counsel
- Office of the Director of African Affairs
- Office of the Director of American Republics Affairs
- Office of the Director of East Asian and Pacific Affairs
- Office of the Director of European Affairs
- Office of the Director of North African, Near Eastern and South Asian Affairs.

Note: For non-Official Personnel Records maintained by the Associate Directorate for Broadcast see USICA—8 Employee Administrative Files—VOA.

Categories of records in the system: Job descriptions; personnel action forms; payroll change slips; service record cards; employee locator cards; letters of commendation and other correspondence; material related to employment, experience, training, special qualifications and skills; salary and leave records.

Note: The record material listed above may not be contained in the files of all Agency elements listed under "Categories of Individuals Covered by the System".

Authority for maintenance of the system: FPM-293-31, Subch. S-8; USICA's Manual of Operations and Administration. Part III—520.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To prepare requests for personnel action; to provide convenient access to information about employees, in view of the office's physical separation from the Office of Personnel Services, which maintains Official Personnel Files.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the Performance of their official duties.

Information in these files is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Indexed by individual name.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: When employee separates from the Agency, file is forwarded to the Office of Personnel Services for screening and disposal.

System manager(s) and address: Chief, Secretariat Staff, Office of the Director, 1750 Pennsylvania Ave., NW, Washington D.C. 20547.

Records Control Officer, Associate Directorate for Programs, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Executive Officer, Office of Research and Evaluation, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Records Control Officer, Office of Equal Employment Opportunity, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Access to Information Officer, Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Paralegal Specialist, Office of the General Counsel, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Chief, Personnel Security Division, Office of Security, 1425 K Street, NW, Washington, D.C. 20547.

Program Coordinator, Office of the Director (African Affairs), 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Program Coordinator, Office of the Director (East Asia and Pacific Affairs), 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Program Coordinator, Office of the Director (European Affairs), 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Program Coordinator, Office of the Director (American Republics Affairs), 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Resource Coordinator, Office of the Assistant Director (North African, Near Eastern and South Asian Affairs), 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Records Control Officer, Associate Directorate Management, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Records Control Officer, Office of Personnel Services, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

Records Control Officer, Office of the Director, Cultural Centers and Resources, 1717 "H" Street, NW, Washington, D.C. 20547.

Executive Officer, Television and Film Service, Patrick Henry Building, 601 "D" Street, NW, Washington, D.C. 20547.

Executive Officer, Press and Publications Service, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individual should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the individual concerned; copies of actions originated by the USICA Office of Personnel Services; USICA Payroll Office; supervisors of employees on whom records are maintained.

USICA—23

System name: Overseas Personnel Files and Records—USICA.

System location: International Communication Agency maintains establishments overseas in 120 foreign countries which are designated as mission posts, branch posts, regional service centers, VOA relay stations, and media extensions. A current listing of names and addresses of overseas establishments is not considered practical for Privacy Act purposes, due to the fact that such a list would require frequent amendment. Changing of office locations, opening of new offices, closing of established offices and realignment of geographic areas have become practical realities in conducting the Agency's mission overseas. Individuals who feel that records pertaining to themselves are maintained at any one of our overseas locations may contact the Agency's Congressional and Public Liaison, Room 1019, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547. The Agency maintains an index of its records, including a current listing of overseas posts, which is available to the public as indicated in 22 CFR Ch. V, Rules for Implementing the Freedom of Information Act.

Categories of individuals covered by the system: Foreign Service employees of the International Communication Agency who are serving or have served at any of the Agency's overseas establishments.

Categories of records in the system: Personnel evaluation reports, travel orders, personnel action forms, payroll change forms, travel vouchers, residence and dependency reports, correspondence related to transfer of duty station or training assignments.

Authority for maintenance of the system: The Foreign Service Act of 1946.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Maintained for convenience due to separation from main office; for use by senior USIA officers at overseas establishments in evaluating the performance of subordinate officers; for planning future staffing requirements; dates of reassignment of officers; entitlement to foreign service allowances; home address and next of kin in the United States in case of emergency; settlement of personal business after departure of employee from the overseas establishment. Also see Prefatory Statement of General Routine Uses.

Information in these files is available only to American foreign service employees on a need-to-know basis as may be required in the performance of their official duties.

The principal user of this information outside the International Communication Agency is the U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name of the individual.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Destroyed after three years after employee's departure from the post. (Reference USICA's Manual of Operations and Administration, Part III, Exhibit 630A-3, Page 3).

System manager(s) and address: See "System Location" above.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: All documents contained in these records are duplicates of material originated by other elements of the International Communication Agency or, in some instances, by the Department of State.

USCIA—24

System name: Personnel Security and Integrity Records—MGT/S.

System location: Office of Security, Room 662, International Communication Agency, 1425 K St., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: All persons currently or formerly employed or used under contract in the U.S.; all Americans currently or formerly employed or used under contract in other countries; some but not all foreign nationals currently or formerly employed or used under contract in other countries; former applicants who were not employed; persons whose services are or were otherwise utilized by a component of USCIA, whether compensated or not; prospective spouses of USICA employees; and other persons who are significantly identified with persons whose services have at one time or another been utilized or considered by the Agency in one or more of the manners indicated herein. Names are also cross-indexed on persons not so identified but who are or were significantly involved in non-security related administrative inquiries conducted by the Security Office of USICA, such as malfesance, nonfesance, misfesance, conflicts of interest, tort matters, equal employment opportunity inquiries and other administrative investigations conducted at the request of other elements of the Agency, and on persons of intelligence and counterintelligence interest whose names appeared in the press, or are contained in documents furnished by the FBI, CIA and other intelligence and counterintelligence agencies of the U.S. Government.

Categories of records in the system: Reports of Investigation conducted by the Security Office of USICA and by other government agencies, inter-office correspondence, relevant correspondence and memoranda originated by other elements of USICA, other federal agencies, other governmental entities (i.e., state and local authorities), corporate and private entities and by individuals. Additionally, records are maintained of security violations and consequent recommendations for disciplinary action. The system contains reports of briefings and debriefings of employees and other performing services for USICA at overseas posts and evaluative summaries of individuals files. Not all files, however, contain all of the above elements.

Authority for maintenance of the system: The authority of the Office of Security to collect and maintain security data is based on Section 1001 of the United States Information and Education Exchange Act of 1948, 62 Stat. 13, 22 U.S.C.1434, as amended, 66 Stat. 43, (1952), Reorganization Plan No. 8 of 1953, 67 Stat 642, Executive Order 10477 of August 1, 1953 as amended, the Act of August 26, 1950 64 Stat. 476, 5 U.S.C.A. 3571, 7312, 7501, 7512 and 7532, Executive Order No. 10450 of April 27, 1953 as amended, and Executive Order 11652 of March 8, 1972.

The authority of the Office of Security to collect and maintain certain administrative data, as the investigative arm of the Agency, is based on 22 USC 1434; Foreign Service Act of 1946, Sec. 611; Reorganization Plan No. 8; Executive Order 10477; 5 USC Chap. 33.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Making security decisions on applicants for employment. In certain cases data in security files is used by the Personnel Office and the Foreign Service Board of Examiners to determine the qualifications and suitability of an applicant.

Making security decisions on Agency employees to determine whether previously granted security clearances may remain in effect.

Making advisory opinions on individuals used by the Agency in a limited or unlimited contractual manner or otherwise and granting exceptions to the Agency's regulations governing such usage under a delegation of authority from the Director.

Giving security certifications in writing or orally to other Security Offices of the Federal Government.

Making security decisions as to the advisability of assigning employees to certain areas of the world or to certain positions within the Agency.

Making security decisions as to the advisability of certain promotions as required by Agency regulations.

Making security decisions as to granting an employee a cryptographic clearance under regulations for such clearance enforced by the Department of State.

Making an advisory opinion as to the effect on an employee's security clearance of a marriage to a non-U.S. citizen.

Reviewing the files in certain cases of non-citizen employees of USICA abroad to determine whether they may be granted a security certification.

Reviewing the files of former Agency employees and applicants never employed to determine what investigative material must be returned to the Civil Service Commission as required by that Commission.

Forwarding the investigative material to certain designated employees of the Personnel Office and of other offices of USICA.

Advising duly authorized security officers of other agencies of significant security data in the file of an Agency employee or applicant.

Advising the Civil Service Commission that significant security or suitability data was developed during a pre-employment investigation of an applicant, or during an investigation of an Agency employee who left the Agency's employment prior to a final adjudication of the case.

To determine whether the Office of Security has previous record of individuals or organizations of interest to the Agency as potential employees, contractors or in some non-compensated activity, or previous record of individuals or organizations becoming of interest as the result of significant identification with person or organizations of current interest to the Agency.

To determine what investigation might be required in the processing of individuals or organizations of interest to the Agency as potential employees or contractors, or in non-compensated use.

To determine specific areas of inquiry by agents of the Office of Security or agents of other federal agencies acting in our behalf, engaged in the various types of security/suitability investigations conducted by the office, i.e., applicant interviews, applicant update investigations, employee investigations, administrative inquiries, debriefings and employee interviews.

To determine whether periodic updating of employee security clearances are required and further determine the appropriate scope of update investigations.

To assist in determining the extent to which allegations against employees or applicants should be investigated.

Review of MGT/SI investigative material by authorized representatives of other U.S. government agencies having security or suitability interests.

Furnish to the Department of Justice information indicating possible violation of criminal laws.

Review for research projects originating from within and outside MGT/SI i.e., surveys of exhibit guide debriefings, and statistical surveys regarding the conduct of various types of investigations and the results thereof

To determine whether debriefings are indicated.

To furnish biographical data to other elements of the agency.

To furnish data, to the extent necessary to identify the individual adequately, to any other record custodian in order to obtain information relevant to a legitimate investigative or intelligence interest of the International Communication Agency.

To provide guidance for employees having had and anticipating contacts with certain foreign nationals.

To assess recommendations for disciplinary action based on violations of security regulations.

Also see Prefatory Statement of General Routine Uses.

Individual files are used by the Director, Office of Security, as reference in contacts and correspondence with USICA Director, Deputy Director, General Counsel, Associate Directors and other USICA personnel when necessary to resolve specific personnel security matters. In addition, files are also used by him in correspondence and contacts with other government agency officials when necessary to inform them of information available in USICA Office of Security files.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Various written-entry document forms.

Retrievability: Indexed by serial file number through card index by name.

Safeguards: Persons having access are security-cleared and must establish a "need-to-know" the information under routine use policies and practices established by Statute, Executive Order, and Agency Regulation. When not in personal custody, files are stored in combination-locked containers or intrusion alarmed area.

Retention and disposal: Records are retained indefinitely, with CSC investigate reports returned to that agency and the balance of records sent to archival storage when no longer active.

System manager(s) and address: Director, Office of Security, International Communication Agency, 1425 K Street, NW, Washington D.C. 20547.

Notification procedure: Director, Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director, Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Biographic and personal history information furnished voluntarily by applicants and employees.

Reports of Investigation conducted by the Civil Service Commission, the Federal Bureau of Investigation, the Department of State and other government investigative agencies.

Reports of Investigation conducted by the Office of Security, USICA.

Investigative sources include information furnished by the subject of the investigation during personal interviews, record checks at other government agencies, records of professional organizations, real estate and rental agencies, baptismal records, police and credit records, interviews of former and present employers, supervisors, references, teachers, neighbors and other acquaintances. Educational and medical records are also checked when appropriate.

Intelligence reports relating to USICA interests which are furnished by other Federal agencies.

Various public records and indices such as those produced by committees of Congress.

Information furnished by employees of USICA, employees of other Government agencies, nongovernmental entities or members of the public at large who occasionally furnish information to USICA in the interests of national security or the integrity of the Federal service.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). See 22 CFR 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

USICA—25

System name: Press Service Contributors—PGM/P.

System location: International Communication Agency, Press and Publication Service, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Free-lance writers, photographers and artists who are available to USICA on an intermittent, fixed-fee basis to perform services for the Agency outside of Washington, D.C.; authors of newspaper and magazine articles.

Categories of records in the system: Copies of purchase orders issued to contributors; biographic data on contributors, including addresses, phone numbers, type of security clearances, specialties, foreign languages; data on number of times contributors have been used and fees paid for services; cross-indexed records, by author, of newspaper and magazine articles for which reprint/translation rights have been obtained covering republication by USICA and/or the local press outside the United States.

Authority for maintenance of the system: IAPR—191.103 issued under authority of 5 U.S.C., Chap. 3 and Federal Property and Administrative Services Act of 1949 (Pub.L. 152, 81st Congress) as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reference material used to select writers, artists and/or photographers, as required, to provide coverage of newsworthy events, such as, interviews with foreign visitors and students, and coverage of conferences outside of Washington, D.C.; also used to determine the type of security clearance held by contributor before granting an assignment; used to check on completion of assignment before payment for services is approved; for office reference in identifying articles, locating authors, checking the extent of right previously obtained and for use in the Agency's Overseas Information Program. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these files is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other Government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Purchase order paper records in file folders. Biographic data is kept on 3x5 cards.

Retrievability: By name and geographic location of the contribution; author files maintained alphabetically by name.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Purchase orders retained for 2 years and then destroyed. Biographic data retained until contributor is no longer available, has died or moved; author index retained indefinitely.

System manager(s) and address: Executive Office, Press and Publications Service, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Record access procedures: Request from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Referrals by city editors of local newspapers; other free-lance contributors; biographic data provided by individual concerned; data on authors obtained from the newspaper or magazine article in which the original article appeared, from the author directly or from standard references such as "Who's Who" and "Editor and Publisher."

USICA—26

System name: Press Service Photographer File—PGM/P.

System location: International Communication Agency, Press and Publications Service, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Free-lance photographers and picture agents; prominent Americans.

Categories of records in the system: Personal data on free-lance photographers such as name, address, telephone number, price charged for services, specialties, availability of rights, previous USICA assignments, evaluations of photographer's work; photographs of prominent Americans.

Authority for maintenance of the system: IAPR—191.103 issued under authority of 5 U.S.C., Chap. 3 and the Federal Property and Administrative Services Act of 1949 (Pub.L. 152, 81st Congress), as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To acquire existing pictures; to select photographers for specific assignments; for general photo research; for use in the Agency's Overseas Information Program. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these files is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card file and paper records in file folders; mounted and unmounted prints; 3 x 5 index cards and 35 mm and 4 x 5 transparencies.

Retrievability: By name of the individual concerned.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Paper records on photographers are maintained indefinitely, or until individual is no longer available for assignment; picture files retained indefinitely or until no longer useful; outdated pictures retired to Federal Records Center.

System manager(s) and address: Executive Office, Press and Publication Service, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the individuals concerned; from publications, photo agencies, and photographer association; photos taken by USICA photographers or obtained from various news services.

USICA—27

System name: Printout of Minority Group Designator (MGD) Data System—MGT/E.

System location: International Communication Agency, Office of Equal Employment Opportunity, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: All current employees of USICA.

Categories of records in the system: Computer printout containing names of all USICA employees identified by name, sex, race, national origin, age, grade, and wage scale.

Authority for maintenance of the system: Draft FPM 713, and Pub. L. 93-571, 5 U.S.C. 552 as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To compile statistical records of minority and female employment and promotion within the Agency; for inclusion in Agency's Equal Employment Opportunity Affirmative Action Plan; for determinations in complaints of discrimination.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

The principal user of this information outside the International Communication Agency is the Civil Service Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders (computer reports).

Retrievability: By name, sex, race, national origin, age, grade, and wage scale.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records maintained indefinitely.

System manager(s) and address: Director (USICA), Equal Employment Opportunity, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the employee concerned; USICA personnel data; visual inspection of the employee.

USICA—28

System name: Recruitment, Contractor and Vendor File—PGM/R.

System location: International Communication Agency, Office of Research and Evaluation, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Job applicants; prospective contractors or vendors (or principals of firms); and any other individuals from whom services (whether compensated or not) may be formally solicited by the Office of Research and Evaluation.

Categories of records in the system: Resumes, employment inquiries and related correspondence; records on the security clearance status of prospective contractors or vendors.

Authority for maintenance of the system: USICA Manual of Operations and Administration, Part VIII; Federal Records Act, 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To review qualifications of candidates for employment; to comply with security regulations in procurement actions or when soliciting services from outsiders. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

This information is not normally available to individuals or agencies outside the International Communication Agency, but it may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Indexed alphabetically by the name of the individual.

Safeguards: Files are kept in bar-lock file cabinets.

Retention and disposal: Security clearance status records on contractors and vendors maintained indefinitely; employment applications and inquiries are retained for two years or as long as there is an interest or prospect of employment of the individual, at which time, records are disposed of in accordance with internal disposal requirements.

System manager(s) and address: Executive Officer, Office of Research and Evaluation, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the individuals concerned and from USICA's Office of Security.

USICA—29

System name: Recruitment Records—GC.

System location: International Communication Agency, Office of the General Counsel, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Applicants for legal and summer intern positions.

Categories of records in the system: Inquiries from attorneys and law students seeking employment with the Office of the General Counsel, resumes and responses to inquiries.

Authority for maintenance of the system: Federal Records Act of 1950, as amended, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For reference and screening of candidates for vacancies on the Agency's legal staff. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally made available to individuals or agencies outside the International Communication Agency, but records may be released to other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records are kept one year and then destroyed by shredding.

System manager(s) and address: Paralegal Specialist, Office of the General Counsel, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Unsolicited inquiries and job applications received from individuals who are seeking employment with USICA's legal staff.

USICA—30

System name: Recruitment Records—MGT/P—USICA.

System location: International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547, and 300 "C" Street, SW, Washington, D.C. 20547.

Categories of individuals covered by the system: Applicants for foreign service or domestic employment; applicants for personnel or management intern positions; employees hired under the worker-trainee program; individuals certified by the Civil Service Commission for appointment consideration.

Categories of records in the system: Employment application forms; resumes and replies to employment inquiries; personnel security data forms; results of written examinations; notes on interviews by selection panels; records on availability of job applicants; CSC employment certificates.

Authority for maintenance of the system: 44 USC 3101; FPM 333 Subch. 1-1; FPM Chap. 713, FPM Bulletin 713-31, FPM 332, Appendix B. FPM Chap. 731, FPM Chap. 732.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used for recruitment and evaluating employment applicants; to determine Agency employment needs; evaluation of minority hiring practices; selection of candidates for intern and other programs; evaluation of progress of employees on worker-trainee programs; monitor status of pre-employment security investigation. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal users of this information outside the International Communication Agency are: The Civil Service Commission; the Director General of the Foreign Service; U.S. Department of State; accredited investigators; Board of Examiners for the Foreign Service.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name of the individual.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records of successful employment candidates transferred to official personnel folder; records of unsuccessful candidates destroyed after 2 years; CSC certificates retained indefinitely; security files destroyed after candidate is given security clearance; other records retained indefinitely or disposed of in accordance with Agency's internal regulations.

System manager(s) and address: Chief, Employment Branch (MGT/PDE), Office of Personnel Services, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Notification procedure: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Employment applicants; college transcripts and other recruitment sources; test scores provided by testing Agency; notes prepared by selection panels; the Civil Service Commission; U.S. ICA Office of Security.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f). See 22 CFR 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

USICA—31

System name: Senior Officer and Prominent Employee Information CPL/USICA.

System location: International Communication Agency, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Leaders of the International Communication Agency and other prominent employees.

Categories of records in the system: Photographs, biographic data sheets and past press releases.

Authority for maintenance of the system: The Federal Records Act, 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For responding to press inquiries and in the preparation of Agency press releases concerning leaders of the International Communication Agency and Prominent employees. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

While this information is generally available to the public upon request, it may also be released to other government agencies who have statutory of other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records and photographs in file folders.

Retrievability: By name of the individual employee.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records are disposed of upon separation of the employee.

System manager(s) and address: Director, (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: The Department of State's Biographic Register; from the individual concerned; copies of press releases concerning the individual.

USICA—32

System name: Senior Officer Files—MGT/P.

System location: International Communication Agency, Office of Personnel and Services, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Employees in grades GS-14, 15, 16, 17, 18 and foreign service officer class equivalents (FSIO, FSR, FSLR—1, 2, 3.2)

Categories of records in the system: Biographical, professional and experience information on employees nominated for senior level positions, position descriptions and position evaluations.

Authority for maintenance of the system: FPM 305, Supp. 305—1, FPM—300 Subch. 3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reference material for the Director's staff, element heads and personnel officers; placement of high level employees in proper management positions and to insure their consideration for vacancies government-wide; used by personnel officers for personnel management functions; requested from time to time by CSC, OMB, and Congress for position control of supergrade employees. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal users of this information outside the International Communication Agency are: The Civil Service Commission; the Office of Management and Budget; the Congress; personnel officers in other government agencies as a result of a transfer or potential transfer of the individual to whom the records pertain.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name and grade of individual, or combinations of name and grade.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records maintained indefinitely, or until employee is separated, at which time pertinent information is filed in the official personnel folder; all other material is destroyed as provided in Agency internal regulations.

System manager(s) and address: Chief, Operations Branch 1776 Pennsylvania Ave., Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director, (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Official Personnel Folders; from the employee; element heads; position classifiers.

USICA—33

System name: Speaker File—AF.

System location: Office of the Director, African Affairs, International Communication Agency, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Artists and Speakers considered qualified to conduct programs at USCA's oversea posts in sub-Sahara Africa.

Categories of records in the system: Biographic data on speakers and artists; evaluation of reports of past service; intineraries.

Authority for maintenance of the system: The Federal Records Act, 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide basic personnel and program information in order to arrange regional schedules for speakers and artists. Also see Prefatory schedules for speakers and artists. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties. Information in these records is not normally made available to individuals or agencies outside USCA, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By the name of the individual concerned.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records are held as long as the individual is a prospective speaker or artist.

System manager(s) and address: Regional Cultural Affairs Officer, Office of the Director, African Affairs, International Communication Agency, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director, (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director, (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Originated through correspondence with speakers and correspondence with individual USICA posts overseas.

USICA—34

System name: Speaker File—EA.

System location: International Communication Agency, Office of the Director, East Asian and Pacific, Affairs 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Prospective individual and actual speakers at USICA overseas posts in the East Asia and Pacific geographic area. Speakers may include volunteers, U.S. Government officials, and others.

Categories of records in the system: Biographic data on prospective speakers, including lists of topics, dates of previous service to USICA, travel vouchers processed, amounts charged Agency and method of payment, and in some cases, evaluations of speakers by overseas posts.

Authority for maintenance of the system: Federal Records Act, 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Biographic data and evaluations of speakers and their sutiability to engage in Agency programs. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The principal user of this information outside the International Communication Agency is the U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Indexed by name of the individual.

Safeguards: Maintained in locked file cabinets, available only to authorized persons.

Retention and disposal: Retained as long as the speaker has topicality for area programs. Records are destroyed thereafter in accordance with Agency's internal records retirement procedures.

System manager(s) and address: Program Coordinator, Office of the Director, East Asian and Pacific Affairs, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Originated through correspondence with speakers and correspondence with individual USICA posts overseas.

USICA—35

System name: Speaker Name Files—PGM.

System location: International Communication Agency, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: American specialists and experts in a variety of fields who have participated or been considered for participation in the Volunteer Speakers Program.

Categories of records in the system: A typical file contains the following information on or about speakers and prospective speakers in the Volunteer Speakers Program administered by the International Communication Agency: Biographic data including education and professional experience, correspondence between the speaker and PGM and communications between the Agency and its overseas posts regarding the speaker's participation in the program. Many of these files also include the results of requests for security information from the Office of Security, USICA.

Authority for maintenance of the system: Executive Order No. 11034 and Executive Order 11034 as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Speakers files are used routinely by program development officers, program assistants and clerical personnel in the daily conduct of the speaker program. They are occasionally consulted by other Agency personnel for such purposes as preparing advance publicity on speakers who will lecture abroad under USICA auspices. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these files is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The files are stored in individual folders by name and consist of the types of information specified under "Category of Record."

Retrievability: File folders are indexed alphabetically by name and filed under five major subjects: Arts and Humanities, Economics, International Political and Security Affairs, Political and Social Processes, and Science and Technology.

Safeguards: The files are kept in locked file cabinets and, when open during office hours, are always tended by one or more employees. Only appropriate personnel are normally allowed to consult these files routinely. Other Agency personnel wishing to consult them are asked to identify themselves. U.S. government personnel other than USICA very rarely seek access to these files. When they do, they are asked to produce specific identification.

Retention and disposal: These records are normally maintained for approximately 3 years. Afterward, they are retired to the USICA archives for a period of from 5-7 years.

System manager(s) and address: International Communication Agency, Associate Director for Programs, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Without significant exceptions, the information on individuals maintained in these files has come from the individual concerned or, occasionally, from others at the request of that individual.

USICA—36

System name: Advisory, Referral and Counseling Records—MGT/P-USICA.

System location: International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Employees with serious personal, job-related or medical problems such as alcoholism, drug abuse or behavioral problems.

Categories of records in the system: Confidential statements relating to specific problems.

Authority for maintenance of the system: Pub. L. 91-616, Sec. 201 (Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970); Pub. L. 92-255, Sec. 413 (Drug Abuse Treatment Act of 1972).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used on occasion to provide necessary background to medical personnel to arrange for medical examinations, treatment of employees, or for counseling purposes within. The program is a confidential resource within the Agency available voluntarily to employees for assistance with personal or job-related problems. Employees are advised of rights, obligations as well as benefits available; referrals of employees to professional resources within the government and in the community; continuing on-the-job counseling available. Also see Prefatory Statement of General Routine Uses. Without the express written consent of the employee, this information is not available to other personnel of the International Communication Agency. The only users of this information outside the International Communication Agency are appropriate medical personnel of the Department of State, Office of Medical Services, and appropriate health professionals in the community, only with the employee's consent.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By the employee's name.

Safeguards: Records are maintained in a combination barlock cabinet at all times, accessible only to the Advisory, Referral and Counseling personnel.

Retention and disposal: Records retained as long as individual is an employee of the Agency; file destroyed by shredding when employee is separated, or when ARCS personnel considers there is no need to retain file, or when incumbent counselor is separated from the Agency; exceptions to rules for retention can be made only with the concerned employee's specific approval.

System manager(s) and address: Chief, Policies and Services Staff (MGT/PPS), Office of Personnel Services, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Notification procedure: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Principally from the individual concerned; background information provided by the person who initiates referral of the employee, such as supervisors or medical personnel.

USICA—37

System name: Book Adaptation Files—ECA/FB.

System location: International Communication Agency, Associate Directorate For Educational and Cultural Affairs, Washington, D.C. 20547.

Categories of individuals covered by the system: Authors of books selected for inclusion in the Current Thought Series and the Ladder Series; contractual adapters of books.

Categories of records in the system: Correspondence with authors; rights agreements for use of books; USICA book appraisals and reviews; biographic data on authors; correspondence with and biographic data and namecheck forms on adapters; correspondence with contracting agency concerning contractual arrangements with adapters, qualifying tests and sample material submitted by adapters.

Authority for maintenance of the system: Executive Order 11034, as amended, Pub. L. 87-256, Mutual Educational and Cultural Exchange Act of 1961.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reference material for determination of suitability of books for use in the Agency's Current Thought Series and Ladder Series; to arrange for clearances to use books in Agency programs; for the selection of adapters who can adapt books for use by foreign nationals; final clearance of adaptation by authors of books.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card records and paper records in file folders.

Retrievability: By individual name, by date of assignment, or both.

Safeguards: Maintained in bar-lock file cabinets.

Retention and disposal: Biographic data and personnel statistical data subject to update periodically; old records destroyed by shredding when no longer needed.

System manager(s) and address: Chief, Foreign Service Personnel Division, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director, USICA, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director, Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Officer Evaluation Reports; official administrative file (OPP); records of interviews and correspondence with officers; minutes of meetings held to discuss assignment of Foreign Service Officers by the career management staff.

USICA—38

System name: Career Counseling Records—MGT/P-USICA.

System location: International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: All foreign service officers of the Agency.

Categories of records in the system: Computer listing of work experience; biographic data; assignment history date; education data; position data; grade; title; post of assignment; date of employment; dependents', proposed position detail to "pipeline" complement; roster of personnel available for domestic assignments; notes of personnel discussions between counselors and individual clients on preferences and other factors bearing on assignments.

Authority for maintenance of the system: The Foreign Service Act of 1946, as amended; 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by career counselors and personnel officers for assignment, detail or rotation of Agency foreign service officers, within USICA or to other federal agencies. Also see Prefatory Statement of General Routine Uses. Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties. The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card records and paper records in file folders.

Retrievability: By individual name, by date or place of assignment, or both.

Safeguards: Maintained in bar-lock file cabinets.

Retention and disposal: Biographic data and personnel statistical data subject to update periodically; old records destroyed by shredding when no longer needed or when employee separates.

System manager(s) and address: Chief, Career Counselors Staff, Office of Personnel Services, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Notification procedure: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Officer Evaluation Reports. Official administrative file (OPF); records of interviews and correspondence with officers; minutes of meeting of the career management staff held to discuss assignment of Foreign Service officers.

USICA—39

System name: Employee Parking—USICA.

System location: International Communication Agency, Office of Administrative Services, General Services Branch, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

Voice of America, 330 Independence Ave., SW, Washington, D.C. 20547.

Categories of individuals covered by the system: Agency employees assigned USICA controlled parking spaces; employees awaiting assignment of vacated parking spaces.

Categories of records in the system: Names, office locations and telephone numbers of employees assigned parking space; participants in car-pools; records of payments for parking space use; records on employees with physical handicaps and doctors or others to contact in case of emergency; waiting list of employees desiring assignment of official parking space.

Authority for maintenance of the system: General Services Administration Regulations dated February 6, 1974, prescribing regulations regarding the use of federally controlled parking spaces.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Assignment of parking space to Agency executives; to assure fairness in the assignment of parking space to employees and to give priority to the handicapped and to car-pools; to assure timely payment of fees for parking space.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

The principal user of this information outside the International Communication Agency is the General Services Administration.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: By name of the employee.

Safeguards: Maintained in bar-lock cabinets.

Retention and disposal: Records destroyed when employee relinquishes assigned parking space or is separated from the Agency.

System manager(s) and address: Director of Administration, Voice of America, Room 3360, HEW-N Bldg., 330 Independence Ave., NW, Washington, D.C. 20547.

Chief, General Services Branch, 1776 Pennsylvania Ave., SW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: All information obtained from individuals concerned.

USICA—40

System name: Employment Requests—MGT/P—USICA.

System location: International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Certain individuals seeking employment with the Agency such as Congressional referrals, referrals of Director, etc.

Categories of records in the system: Letters, memos, resumes, recommendations, biographic data and referrals submitted to the Director, Office of Personnel Services, for the purpose of soliciting employment with the Agency.

Authority for maintenance of the system: The Federal Records Act, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To answer inquiries from Members of Congress regarding employment opportunities for constituents; referrals to Agency elements for qualification evaluations. Also see Prefatory statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name of the individual.

Safeguards: Maintained in bar-lock file cabinets.

Retention and disposal: Records retained until no longer useful, or until after 2 years from date of submission, whichever is first. Records are destroyed by shredding.

System manager(s) and address: Director, Office of Personnel Services, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Notification procedure: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Record access procedures: Requests for individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Unsolicited information or referrals submitted to the Agency by individuals seeking information on employment possibilities.

USICA—41

System name: Exhibit Guide Training File—PGM/E.

System location: International Communication Agency Service, 1425 "K" Street, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Translators and various instructors hired periodically by the Exhibits Service to train Exhibit Guides before assignment overseas.

Categories of records in the system: Biographic data, security name-check forms, history of assignments with the Agency, and routine correspondence.

Authority for maintenance of the system: Executive Order 11034, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A ready reference file for locating specialists and translators, evaluating their qualifications and determining their availablilty to train individuals hired by the Agency for overseas assignments as Exhibit Guides.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name of the individual.

Safeguards: Records maintained in bar-lock cabinets, available only to authorized personnel.

Retention and disposal: Records kept as long as person is of employment interest and/or employed. Files are destroyed by burning when no longer needed.

System manager(s) and address: Records Control Officer, Creative Services Branch, Exhibits Service, International Communication Agency, 1425 "K" Street, NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information including in these records is submitted or authorized by the individual concerned and is available for his her review.

USICA—42

System name: Exhibit Specialist Grantees—PGM/E.

System location: International Communication Agency, Exhibit Service, 1425 "K" Street, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Private individuals under grant or contractual agreement with the Agency, or Government employees on temporary duty assignments with USICA, to provide services to Agency exhibits as expert specialists, usually involving overseas travel.

Categories of records in the system: Name, address, itinerary of travel, description of services, records of security clearance and of grants or orders, resume of career and list of publications, correspondence, informal evaluations of performance as an exhibit specialists, photographs, publications by the concerned individuals.

Authority for maintenance of the system: Executive Order 11034, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used for the purpose of selecting specialists in various fields to assist in the design of exhibits for use overseas; as consultants during fabrication of exhibits; to assist USICA personnel overseas to construct exhibits.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other Government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By show name, the word "specialist," followed by individual's name.

Safeguards: Maintained in bar-lock file cabinets.

Retention and disposal: Records kept as long as individual is of employment interest and/or employed. Files are destroyed by burning when no longer needed.

System manager(s) and address: Records Control Officer, Creative Services Branch Exhibits Service, International Communication Agency, 1425 "K" Street, NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information included in records was either submitted or authorized by the individual concerned, or was available from public sources, such as book reviews or material printed in various publications; National Agency name check information is obtained through the Agency's Office of Security.

USICA—43

System name: Foreign Service Location File—MGT/P—USICA.

System location: International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: All Agency foreign service employees and foreign service retirees.

Categories of records in the system: Foreign service employees' place of assignment overseas, position held, home address, address of next-of-kin, employee's personal bank (if requested the Agency deposit payroll checks); last home address of retirees.

Authority for maintenance of the system: The Federal Records Act, 44 U.S.C. 3101; Foreign Service Act of 1946, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by USICA officials to locate a Foreign Service employee; make salary deposits; informing next-of-kin in emergency situations.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other Government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained on 5x8 index cards in metal cabinets.

Retrievability: By the officer's name.

Safeguards: Records are under surveillance by authorized employees during working hours; in locked metal cabinets after hours.

Retention and disposal: Locator information destroyed when employee separates, except by retirement, in which case card maintained indefinitely.

System manager(s) and address: Chief, Administrative Staff (MGT/PA), Office of Personnel Services, 1776 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Notification procedure: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the officer concerned; copies of Personnel Action Forms (SF-50); travel memos.

USICA—44

System name: Office of Cultural Centers and Resources-ECA/F.

System location: International Communication Agency, Associate Directorate for Educational and Cultural Affairs, 1717 "H" Street, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Private individuals who are under grant or contractual agreement with the Agency's Office of Cultural Centers and Resources to provide goods or services required in conducting cultural programs.

Categories of records in the system: Name, address, itinerary of travel, goods and/or services to be provided to the Office of Cultural Centers and Resources under grant, contract or purchase order grant; records of payments for services rendered or goods delivered.

Authority for maintenance of the system: Executive Order 110477 of August 1, 1953; Executive Order 10822 of May 20, 1953, implementing Section 2(d) of the Reorganization Plan No. 8 of 1953.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Files are used by the Budget Office and the Executive Office staffs of the Agency's Office of Cultural Centers and Resources as reference material to assure proper expenditure of agency funds, to monitor the completion of grant or contractual arrangements, and to assure proper payment for goods delivered or services rendered.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: By document number cross-referenced by a name card file.

Safeguards: Maintained in bar-lock file cabinets.

Retention and disposal: Records of transactions over 10,000 dollars retained for six years, then sent to the Federal Records Center. For transactions under 10,000 dollars, records retained for three years, then sent to Federal Records Center.

System manager(s) and address: Records Control Officer, ECA/F, Associate Directorate for Educational and Cultural Affairs, 1717 "H" Street, NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the individual concerned; copies of contracts and grants; travel authorizations provided by Agency Transportation Branch; copies of invoices for payment.

USICA—45

System name: Mailing Lists—MGT/AGR.

System location: International Communication Agency, Office of Administrative Services Reproduction and Graphics Branch, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: USICA domestic and Foreign Service officers; radio station managers, and technicians, foreign correspondents; American and foreign diplomats; librarians; scholars; Members of Congress; information counselors of other Federal agencies and the military; officers of international organizations; American journalists; newspaper and magazine editors and publishers; public relations officers; musicians, historians.

Categories of records in the system: Records contain name, address, occupation, title and profession of individuals who need to have access to, or have requested information concerning: Agency publications, news pictures, reports on current issues and other reports; messages for overseas distribution; press releases; USICA Manual of Operations and Administration; adaptations and condensations; current events picture packs; FYI kits; VOA frequency schedule; standby officer lists; special packets; Music USA packets; VOA program highlights.

Authority for maintenance of the system: Pub. L. 402.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Mailing lists are used by Agency elements to distribute printed materials to Agency personnel who need access to such information in the performance of their duties, and to members of the public listed under Categories of Individuals covered by the system as shown above who have requested such information, or who have a professional need and interest in acquiring such information.

Also see Prefatory statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Addressograph plates filed in special drawers.

Retrievability: By code number of the distribution list and the subject matter of the printed material, and then by name arranged alphabetically.

Safeguards: Maintained in locked cabinets when not in use.

Retention and disposal: Plates are updated frequently, with old plates removed from the system and destroyed.

System manager(s) and address: Chief, Reproduction and Graphics Branch, International Communication Agency, 1776 Pennsylvania ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the individual concerned and from public documents such as Congressional and professional directories and journals.

USICA—46

System name: Officer Assignment Requests-MGT/P.

System location: International Communication Agency, Office of Personnel Services, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Agency officers who have written or spoken to the Director, Office of Personnel Services, regarding assignment preferences or problems.

Categories of records in the system: Letters, memos, and occasionally biographic data submitted by the individual seeking particular assignments; written answers to specific requests.

Authority for maintenance of the system: The Federal Records Act, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used exclusively by the Director and the Deputy Director, Office of Personnel Services, for discussion of officer assignments and officer career interests.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By the name of the individual.

Safeguards: Maintained in metal bar-lock file cabinets.

Retention and disposal: Usually retained until officer is assigned or for longer period depending upon the assignment actions; destroyed when no longer needed.

System manager(s) and address: Assistant Director, Office of Personnel Services, International Communication Agency, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the officer requesting assignment consultation, replies of the Director, Office of Personnel Services, to such requests.

USICA—47

System name: Official Travel Records-MGT/ADT.

System location: International Communication Agency Office of Administrative Services, Travel and Transportation Branch, 1776 Pennsylvania Ave. NW, Washington D.C. 20547.

Categories of individuals covered by the system: Past and present USICA employees and private citizens who have traveled under Agency auspices.

Categories of records in the system: Travel authorizations documents related to shipment and storage of personal effects and automobiles worksheets on itineraries and correspondence related to the above. Records of active passports and passports issued. Records of temporary duty travel. Location and cost of storage of personal effects.

Authority for maintenance of the system: Supplemental Appropriations Act of 1955, Pub. L. 663, Section 1311 (83d Congress) (31 U.S.C. 200), Section 3679 of the Revised Statutes, as amended, Antideficiency Act (31 U.S.C. 665).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as reference material by the staff of the Agency's Travel and Transportation Branch, and as authorization for issuance of transportation requests, travel advances, and passports, for payment to carriers for transportation of travelers and their personal effects, for payment to storage and transfer companies for the packing and storage of household effects.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders and in index boxes.

Retrievability: Indexed alphabetically by name.

Safeguards: Passports and related material such as correspondence and messages are kept in bar-lock cabinets. Other records are kept in unlocked cabinets which are under surveillance of authorized employees during the working day, and by security guards after official working hours.

Retention and disposal: Temporary duty travel authorizations are maintained for four years and then sent to a Federal records center. All other records are retained indefinitely, or until after an employee has been separated from the Agency for six months.

System manager(s) and address: Chief, Travel and Transportation Branch, International Communication Agency, 1776 Pennsylvania Ave, NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave, NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave, NW, Washington, DC 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Travel request forms initiated by various Agency elements, information regarding personal and household effects obtained from the tarveler and from carriers, passport information received from the Department of State's Passport Office.

USICA—48

System name: Photographers and Photographs for Exhibits Use—PGM/E.

System location: International Communication Agency, Exhibits Service, 1425 K Street, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Names and addresses of photographers hired by the Exhibits Service to provide photographs suitable for use in the Agency's overseas Exhibits Program, collection of photographs for possible use in Exhibits programs with the names and addresses of the individuals holding copyrights.

Categories of records in the system: Correspondence with individuals concerning employment with the Exhibits Service to perform photographic services, personal data on photographers such as name, address, telephone number, price charged for service, specialties, availability of rights, previous USICA assignments, evaluation of photographer's work, names and addresses of persons owning rights to photographic work considered suitable for overseas exhibits.

Authority for maintenance of the system: Executive Order 11034, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To acquire existing pictures, to select photographers for specific assignments, for general photo reserch, for use in the Agency's Exhibits Program.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records and photographs maintained in file folders.

Retrievability: By name of the individual.

Safeguards: Maintained in combination bar-lock cabinets.

Retention and disposal: Records kept as long as person's photographs are of interest for use in particular exhibits. Files are destroyed by burning when no longer useful.

System manager(s) and address: Records Control Officer, Exhibits Service, International Communication Agency, 1425 K Street, NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information included in records is provided or authorized by the individual concerned and is available for his or her review.

USICA—49

System name: Records on Shipment of Effects, Unaccompanied Baggage and Automobile—MGT/CF.

System location: International Communication Agency, Office of Comptroller Services, Financial Operations Division, 1717 H St., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Foreign service employees authorized to ship effects and automobiles overseas at USICA expense.

Categories of records in the system: Paper cards listing payments made to packers, carriers, etc., in connection with shipments of effects, baggage and automobiles pursuant to travel authorizations.

Authority for maintenance of the system: 31 U.S.C. 66a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To determine if unauthorized charges were incurred due to excess shipments, indirect routing, or other reasons.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in tub file.

Retrievability: Filed alphabetically by individual name.

Safeguards: Records are under surveillance by authorized employees during the working day, and by security guards after official working hours.

Retention and disposal: Records destroyed four years after the fiscal year in which shipment is authorized.

System manager(s) and address: Chief, Financial Operations Division, International Communications Agency, 1717 H St., NW, Washinton, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to Assistant Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: USICA offices issuing travel authorizations, travel vouchers submitted by employees; invoices submitted by carriers for payment.

USICA—50

System name: Salary Computation Records—MGT/CB.

System location: International Communication Agency, Office of Comptroller Services, Budget Operations Division, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Persons employed by the Agency during any past fiscal year, and the current fiscal year.

Categories of records in the system: Personnel Action Forms, Standard Forms 50.

Authority for maintenance of the system: Executive Order 10477 of August 1, 1953; Executive Order 10822 of May 20, 1953, implementing Section 2(d) of the Reorganization Plan No. 8 of 1953; Budget-Treasury Regulation No. 1 (revised); The Economy Act (31 U.S.C. 686), Section 601; Section 3679 of the Revised Statutes as amended (31 U.S.C. 665).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For the use of the Budget Operations Division only, for salary computations for Agency budget purposes.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in files.

Retrievability: By name of individual.

Safeguards: Security provided by surveillance of authorized employees during working hours and by security guards after working hours.

Retention and disposal: Retained until no longer needed.

System manager(s) and address: Chief, Program Support Branch, Budget Operations Division, International Communication Agency, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Office Personnel Services.

USICA—51

System name: Travel Authorization Obligation File—MGT/CF.

System location: International Communication Agency, Office of Comptroller Services, Financial Operations Division, 1717 H St., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Individuals authorized to travel for which costs of travel are chargeable to USICA appropriations.

Categories of records in the system: Copies of travel authorizations and copies of paid vouchers and/or abstracts or other documents relating to payments for authorized travel.

Authority for maintenance of the system: 31 U.S.C. 66a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To support recording of obligations of funds for travel; for audit of travel and transportation vouchers prior to certification and payment; control to avoid duplicate payment of claims.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files maintained in three-ring binders and in file folders.

Retrievability: By name; cross-reference to travel authorization number filed by appropriation/allotment chargeable.

Safeguards: Records are under surveillance by authorized employees during the working hours, and by security guards after official working hours.

Retention and disposal: Alphabetical copy of travel authorizations destroyed 3 years after close of fiscal year in which issued. Folders destroyed between 4 and 10 years after close of fiscal year, depending upon the type of travel.

System manager(s) and address: Chief, Financial Operations Division, International Communication Agency, 1717 H St., NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Standard forms and Agency forms prepared in connection with official travel by personnel.

USICA—52

System name: Source File—PGM/T.

System location: Television and Film Service, International Communication Agency, 601 D Street, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Individuals in the audio-visual field who are in contact with the International Communications Media Staff on attestation, film festivals and other activities.

Categories of records in the system: Biographical data, press releases, routine correspondence, and similar material.

Authority for maintenance of the system: To provide a source of information file for the Office of Acquisitions on subjects such as attestation and film festivals.

Also Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful legal authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name individual concerned.

Safeguards: Maintained in locked file cabinets and available only to authorized personnel.

Retention and disposal: Files are reviewed approximately every 5 years and retained, retired or destroyed as appropriate.

System manager(s) and address: Chief, Office of Acquisitions Media Staff, International Communication Agency, 601 D Street, NW, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information is provided by the individual concerned or from published sources.

USICA—53

System name: Privacy Act-Freedom of Information Act File—CPL-USICA.

System location: Congressional and Public Liaison, International Communication Agency, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Individuals who have requested documents, records or other information concerning themselves from the Agency pursuant to the Freedom of Information Act (5 U.S.C. 552), or the Privacy Act of 1974 (5 U.S.C. 552a).

Categories of records in the system: Personal information that may be contained in reports, memoranda, letters, or any other official or unofficial documents that are relevant to the request.

Authority for maintenance of the system: 5 U.S.C. 552 and 5 U.S.C. 552a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

For processing of requests received pursuant to the Freedom of Information and Privacy Acts.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the International Communication Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name of individual requesting the information.

Safeguards: Records are under surveillance by authorized employees during working hours, and are stored in combination-lock cabinets when not in use.

Retention and disposal: Retired and destroyed in accordance with schedules of the International Communication Agency.

System manager(s) and address: Access to Information Office, Congressional and Public Liaison, International Communication Agency, Washington, D.C. 20547.

Notification procedure: Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USICA), Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear at 22 CFR, Chapter V, Part 505 and were published in the Federal Register on October 21, 1975 (40 FR 49278) and on September 22, 1976 (41 FR 11424) and on April 4, 1978 (43 FR 14298).

Record source categories: Compiled as a result of requests under the Freedom of Information Act and the Privacy Act.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f). See amendments to 22 CFR, Chapter V, Part 505.15 as published in the proposed rule section of the Federal Register for December 10, 1976.

USICA—54

System name: Incentive Awards File—MGT/P-USICA.

System location: International Communications Agency, Office of Personnel Services, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Employees who are nominated for Special, Honor, Unit, Cash or other incentive awards; employees who are to receive Length-of-Service Certificates.

Categories of records in the system: Nomination forms or narratives; copies of award certificates with citations: Cards containing name, award, and date awarded.

Authority for maintenance of the system: 3 FAM 640; 5 CFR Part 451; FPM Chapter 451; MOA V-A/B 570.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used only by awards staff, selection committee and approving officials to process and record nominations and for presentation of incentive and length of service awards; used to prepare annual statistical reports for the Civil Service Commission. Also see prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Temporary paper records in file folders, 3x5 cards in card files.

Retrievability: Manually by name and/or type of award.

Safeguards: File folders maintained in locked file cabinets.

Retention and disposal: Cards and copy of nomination and if an award includes a certificate maintained indefinitely.

System manager(s) and address: Chief, Policies and Services Staff (MGT/PPS), Office of Personnel Services, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

Notification procedure: Office of Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Office of Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Nominations; supervisors; official personnel folders; awards committee and approving officials.

USICA—55

System name: Educational and Cultural Exchange Program Records—ECA—USICA.

System location: Associate Directorate for Educational and Cultural Affairs, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Applicants, recipients, and prospective recipients of Educational and Cultural Exchange grants; members of the Board of Foreign Scholarships; American Executive Secretaries of Fulbright Foundations and Commissions; members of the U.S. Advisory Commission on International Educational and Cultural Affairs; members of the Government Advisory Committee on International Book and Library Programs; members of the former National Review Board of the East-West Center; faculty members of U.S. educational institution participating in student counseling workshops conducted in various countries.

Categories of records in the system: Biographic information; project descriptions; forms relating to the individual's security clearance; evaluations of the performances of former grantees; evaluations of performing artists who may be potential grantees; copies of press releases; news clippings; information related to the grant; related correspondence; academic transcripts; letters of reference.

Authority for maintenance of the system: Mutual Educational and Cultural Exchange Act of 1961; 22 U.S.C. 2451-58; 22 U.S.C. 2054-57; 22 U.S.C. 1431.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary function of the Educational and Cultural Exchange Program records is the aiding in the selection of individuals for educational and cultural exchange grants and for the administration of such grants. Information from these records is also used to develop statistics for use in the operation of the exchange program. The principal users of this information outside the International Communication Agency are: Civil Service Commission; Central Intelligence Agency; Immigration and Naturalization Service; Department of Justice; Smithsonian Institution; Congress; the news media; relatives of the grantee trying to reach the individual for bona fide personal reasons; the grantee. In connection with the selection process, information may be released to: Binational commissions; the Board of Foreign Scholarships; foreign host institutions; contract agencies. Fulbright-Hays alumni names and addresses may be made available to American institutions, organizations or individuals assisting in the organizing and functioning of an association of alumni of the exchange program. Excerpts from the files may be used by non-governmental panels of experts in rating candidates. This information may also be released to other government agencies having statutory or other lawful authority to maintain such information. Also see Routine Uses paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy; magnetic computer media.

Retrievability: By individual name.

Safeguards: Records are maintained in secured file cabinets or in restricted areas, access to which is limited to authorized personnel.

Retention and disposal: Retention of these records varies from three years to an indefinite period of time, depending upon the specific kind of record involved. (Records of non-recommended candidates are only maintained for up to twelve months after submission of the application.) They are retired or destroyed in accordance with published schedules of the International Communication Agency.

System manager(s) and address: Associate Director, (USICA), Associate Directorate for Educational and Cultural Affairs, 1776 Pennsylvania, Avenue, NW, Washington, D.C. 20547.

Notification procedure: Individuals who have cause to believe that the Educational and Cultural Affairs might have records pertaining to them should write to the Director, Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547. The individual must specify that he/she wishes the records of the Bureau of Educational and Cultural Affairs to be checked. At a minimum, the individual must include: Name; date and place of birth; current mailing address and zip code; signature. If the individual is or was a grantee or an applicant for a grant, he/she must specify the type of grant and the dates of the grant which he/she received or for which he/she applied.

Record access procedures: Individuals who wish to gain access to or amend records pertaining to themselves should write to Director, Congressional and Public Liaison, 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: The individual; public references; other offices within the Department; other government agencies; other public and professional institutions possessing relevant information.

Systems exempted from certain provisions of the act: Certain records contained within this system of records are exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f).

USICA—56

System name: Exchange Visitor Waiver Records—GC—USICA.

System location: USICA, Office of the General Counsel, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Categories of individuals covered by the system: Applicants for extensions or waivers or foreign residence requirements.

Categories of records in the system: Biographic data; information from the Immigration and Naturalization Service regarding hardship or persecution; evaluations of applicants' performances; copies of published materials; newsclippings; academic transcripts; letters of reference; related correspondence.

Authority for maintenance of the system: Mutual Educational and Cultural Exchange Act of 1961, as amended, Sec. 109, Pub.L. 87-256.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The primary use of the Exchange Visitor Waiver Records is in recommending to the Immigration and Naturalization Service if the foreign residency requirements should be waived or visas extended. Information from these records is also used to develop statistics for use in the operation of the cultural and educational exchange program. The principal users of this information outside the International Communication Agency are: Immigration and Naturalization Service; Department of Justice; the Diplomatic Corps of the foreign embassies in Washington; Department of State; Congress; relatives of the applicant trying to reach the individual for bona fide personal reasons; the applicant; foreign host institutions; contract agencies. This information may also be released to other Government agencies having statutory or other lawful authority to maintain such information. Also see Routine Uses paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Manually by name of applicant.

Safeguards: Records are maintained in secured cabinets.

Retention and disposal: Retention of these records varies from three years to an indefinite period of time, depending on the specific kind of record involved. They are destroyed in accordance with Agency's internal regulations.

System manager(s) and address: General Counsel, USICA, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Notification procedure: Individuals who have cause to believe that the Office of General Counsel might have records pertaining to them should write to the Director, Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547. The individual must specify that he/she wishes the Exchange Visitor Waiver Records to be checked. At a minimum, the individual must include: Name; date and place of birth, current mailing address and zip code; signature.

Record access procedures: Individuals who wish to gain access to or amend records pertaining to themselves should write to Director, Congressional and Public Liaison, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: The individual applicants; foreign embassies, applicants' sponsors and attorneys; Department of State; Immigration and Naturalization Service; other offices within the Agency.

USICA-57

System name: Public Affairs Contact System.

Security classification: Unclassified.

System location: Office of the Director, International Communication Agency, 1750 Pennsylvania Ave., NW., Washington, D.C. 20547.

Categories of individuals covered by the system: U.S. private sector leaders; key overseas contacts (non-Americans); legislative and executive branch personnel who deal with the International Communication Agency and U.S. Foreign policy; private citizens and corporations interested in the International Communication Agency and American public diplomacy; U.S. businessmen overseas.

Categories of records in the system: Biographic data (name, occupation, organization, substantive interests in foreign policy, mailing address); telephone number; records of participation in the International Communication Agency program overseas and formal or informal events in the United States.

Authority for maintenance of the system: Federal Records Act, 44 U.S.C. 3101, U.S. Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.) and the Mutual Educational and Cultural Exchange Act of 1961.as amended (22 U.S.C. 2451 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Identification of persons or organizations who may have interest in American public diplomacy initiatives and developments for distribution of information about International Communication Agency programming and trends in public diplomacy, identification and distribution of information to individuals with an interest in supporting Agency efforts to encourage participation of the private sector in Agency programs at least cost to the American public.

Information is made available on a need-to-know basis to personnel of the International Communication Agency as may be required in the performance of their official duties.

The International Communication Agency intends to establish a public affairs contact system for use by the Director, Deputy Director and their staffs. The system is intended to provide names, telephone numbers and mailing addresses of persons or institutions interested in public diplomacy and the mission of the International Communication Agency in international affairs. Individuals and institutions so identified may be contacted to provide them with information on current developments, to solicit their views on new program initiatives or to obtain support for participation of the private sector in Agency programs.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All information will be maintained on an automated system—on a magnetic disk for active use and on magnetic tape for system backup.

Retrievability: Records are retrieved by name, contact identification number, institutional affiliation, geographic location, occupation, interests, language ability, year of birth, sex, marital status, invitation lists, Agency publications received, contact history, invitation history, distribution lists, telephone number, and exchange program record.

Safeguards: Files are to be called up by designated persons only with preassigned passwords on a terminal in the Office of the Director.

Retention and disposal: Files will be reviewed annually and retained, retired or destroyed as appropriate.

System manager(s) and address: Executive Assistant to the Director, International Communication Agency, 1750 Pennsylvania Ave., NW., Washington, D.C. 20547.

Notification procedure: Chief, Office of Public Liaison, International Communication Agency, 1750 Pennsylvania Ave., NW., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Chief, Public Liaision, International Communication Agency, 1750 Pennsylvania Ave., NW., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned are published in Part 505 of Title 22, Code of Federal Regulations.

Record source categories: Information is provided by the individual concerned or from published sources.

Systems exempted from certain provisions of the act: None.

USIA-58

System name:

Contacts.

Security classification:

Unclassified.

System location:

Presidential Commission for the German-American Tricentennial, 730 Jackson Place, Washington, D.C. 20006.

Categories of individuals covered by the system:

U.S. private sector leaders; representatives of foreign countries resident and not resident in the U.S.; U.S. legislative and executive branch personnel; private citizens, business, academic, student, cultural, labor, military and social leaders, federal and state employees, members of the press, organizations, and corporations interested in German-American relations and the German-American Tricentennial.

Categories of records in the system:

Name, title, affiliation, address, telephone number, participation in Tricentennial and German-American activities, amount of money contributed or pledged by individuals and by organizations to the Commission.

Authority for maintenance of the system:

Authority for this system of records is derived from the Federal Records Act, 44 U.S.C. 3101, U.S. Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.), and the Mutual Educational and Cultural Exchange Act of 1981, as amended (22 U.S.C. 2451 et seq.)

Purpose(s):

The Presidential Commission for the German-American Tricentennial has established a contact system for use by the Commission Staff. The system is intended to provide names, telephone numbers, and mailing addresses of persons or institutions interested in German-American relations and the Tricentennial. Individuals or institutions so identified may be contacted in order to provide them with information on the activities of the Commission and Tricentennial events, to request information on programs they may be planning for the Tricentennial, to solicit participation in these activities, or to obtain support, financial or otherwise, to enable the Commission to carry out its activities.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Identification of persons or institutions who may have interest in German-American relations and the Tricentennial; solicitation of support, including contributions, and recording participation of individuals in various activities of the Tricentennial.

Information is available to the Presidential Commission for the German-American Tricentennial staff, including volunteers, as may be required for the performance of their official duties.

These records may be turned over to a contractor for use in the name of the Presidential Commission for the German-American Tricentennial and under conditions specified by the Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

All information will be maintained on an automated system—on a magnetic disk for active use and back-up.

Retrievability:

Records are retrieved by name, functional title, organization, address, city , state, ZIP code, occupational category, specialty, affiliation and comments.

Safeguards:

Files are kept at the offices of the Presidential Commission for the German-American Tricentennial and may be called up only by the Commission staff, including volunteers.

Retention and disposal:

Files will be destroyed upon termination of the Commission no later than January 31, 1984.

System manager(s) and address:

Presidential Commission for the German-American Tricentennial, 730 Jackson Place, Washington, D.C. 20006.

Notification procedure:

Director, Office of Public Liaison, United States Information Agency, 400 C Street SW, Washington, D.C. 20547.

Record access procedures:

Requests from individuals should be addressed to: Director, Office of Public Liaison, USIA, 400 C Street SW, Washington, D.C.

Contesting record procedures:

The United States Information Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned are published in Part 505 of Title 22, Code of Federal Regulations.

Record source categories:

Information is provided by the individual concerned, from published sources or from lists provided by German-American organizations and individuals.

Systems exempted from certain provisions of the act:

None.

USIA-59

System name:

Staff for International Youth Exchange Contact System.

Security classification:

Unclassified.

System location:

Office of International Youth Exchange Staff, United States Information Agency, 400 C Street SW, Washington, D.C. 20547.

Categories of individuals covered by the system:

Members of the President's Council for International Youth Exchange; representatives of foreign countries resident and not resident in the U.S.; private citizens, organizations, and corporations involved in the President's International Youth Exchange Initiative.

Categories of records in the system:

Name, title, affiliation, office address, office telephone number, degree of participation in Youth Exchange activities, attendance records of President's Council events, amount of money contributed or pledged to President's Initiative by companies and by individuals where written permission is secured.

Authority for maintenance of the system:

Authority for this system of records is derived from the Federal Records Act, 44 U.S.C. 3101, U.S. Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.) and the Mutual Educational and Cultural Exchange Act of 1981, as amended (22 U.S.C. 2451 et seq.)

Purpose(s):

The United States Information Agency intends to establish a contact system for use by the International Youth Exchange Staff. The system is intended to provide names, telephone numbers, and mailing addresses of persons or institutions involved with the President's Initiative. Individuals or institutions so identifiers may be contacted in order to provide them with information on the activities of the President's Council for International Youth Exchange, to solicit participation in these activities, or to obtain support, financial or otherwise, for participation in the youth exchange initiative.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Identification of persons or institutions who are involved with the President's International Youth Exchange Initiative, distribution of information to individuals interested in supporting youth exchange and to solicit support including contributions, and recording participation of individuals in various activities of the President's Council for International Youth Exchange.

Information is available to the International Youth Exchange Staff, the President's Council for Youth Exchange, and to other personnel of the United States Information Agency as may be required for the performance of their official duties.

Information in these records within the guidelines of the Freedom of Information Act is available upon written request to individuals, organizations or agencies outside the United States Information Agency.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

All information will be maintained on an automated system—on a magnetic disk for active use and back-up.

Retrievability:

Records are retrieved by name of organization or by individuals, geographic location, invitation list, contact history, invitation history, pledge and contribution records.

Safeguards:

Files are to be called up by designated persons only with preassigned passwords on a terminal in the Office of the Staff for International Youth Exchange, the Office of the President's Council for International Youth Exchange, and the Office of the Chairman of the Council whether or not situated at the USIA.

Retention and disposal:

Files on individuals will be reviewed by the Administrative Officer of the International Youth Exhange Office for retention or destruction as their membership in the President's Council and/or involvement with the initiative changes. Files on contributions from organizations will be reviewed annually by the Administrative Officer for retention or destruction in accordance with guidelines set forth in the Federal Records Act.

System manager(s) and address:

International Youth Exchange Staff, USIA, 400 C Street, SW., Washington, D.C. 20547.

Notification procedure:

International Youth Exchange Staff, USIA, 400 C Street, SW., Washington, D.C. 20547.

Record access procedures:

The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned are published in Part 505 of Title 22, Code of Federal Regulations.

Contesting record procedures:

Information is provided by the individual concerned or from published sources.

Systems exempted from certain provisions of the act:

None.

USIA-60

System name:

USIA Procurement Personnel Information System.

Security classification:

Unclassified.

System location:

Office of Contracts, U.S. Information Agency, Switzer Building, 300 C Street SW, Washington, D.C. 20547.

Categories of individuals covered by the system:

USIA employees involved with procurement activities.

Categories of records in the system:

Name, office, position title, series and grade, service computation date, position description, education, training, experience, professional recognition, career objectives.

Authority for maintenance of the system:

Authority for this system is derived from the Federal Records Act, 44 U.S.C. 3101, and Federal Acquisition Regulation, Subpart 1-6.

Purpose(s):

The U.S. Information Agency has established a register of training and qualified individuals who may be appointed as Contracting Officers at all grade levels. In accordance with Section 1(g) of Executive Order 12352, clear lines of contracting authority and accountability must be established. The system will be used to establish and monitor the contracting work force.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Identification of employees who have met standards of experience, education, and training for appointment as Contracting Officers and to analyze procurement system performance such as functional placement, system training needs, and workforce size. Information is available to personnel of the U.S. Information Agency as may be required for performance of official duties. Information on individuals will not normally be available outside the U.S. Information Agency as it falls within the excepted guidelines of the Freedom of Information Act.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

All information will be maintained in a paper hard copy file which will be automated as soon as possible.

Retrievability:

Records are retrieved by name, office, series and grade.

Safeguards:

Files are kept in the Office of Contracts in bar lock cabinets and may be accessed only by the office staff. As soon as the file is automated, it will be password protected.

Retention and disposal:

Files will be retained as long as the individual remains an employee of the U.S. Information Agency, and will be destroyed upon the employee's separation.

System manager(s) and address:

Director, Office of Contracts, U.S. Information Agency, Switzer Building, 300 C Street SW, Washington, D.C. 20547.

Notification procedure:

Access to Information Officer (M/ASP), U.S. Information Agency, 301 Fourth Street SW, Washington, D.C. 20547.

Record access procedures:

Requests from individuals should be addressed to Access to Information Officer (M/ASP), U.S. Information Agency, 301 Fourth Street SW, Washington, D.C. 20547.

Contesting record procedures:

The U.S. Information Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned are published in Part 505, Title 22, U.S. Code of Federal Regulations.

Record source categories:

Information is provided by the individual concerned.

Systems exempted from certain provisions of the act:

None.

USIA—61

System name:

Americans Funded by USIA Private Sector Grants.

Security classification:

Unclassified.

System location:

USIA, Office of Private Sector Programs, Room 216, 301-4th Street, SW, Washington, DC.

Categories of individuals covered by the system:

Individuals who have traveled at U.S. Government expense under USIA Private Sector grants in the performance of grant requirements and biographic information on individuals nominated for the Agency's Artistic Ambassador Program from eligible graduate music schools and conservatories in the United States.

Categories of records in the system:

Name, position, organizational affiliation, grantee organization, grant number, date, destination, purpose of travel; biographic data—where nominee will peform, nominee's repertoire, past concerts and performances, address, telephone number, education, date and place of birth and citizenship.

Authority for maintenance of the system:

The United States Information Agency Authorization Act, Fiscal Years 1984 and 1985, Pub. L. 98-164 and the Fullbright-Hays Act (22 U.S.C. 2451, et seq.).

Purpose(s):

To comply with the provisions of Pub. L. 98-164 which require USIA to report to Congress the names of individuals who in the preceding five years made two or more trips involving foreign travel financed in whole or substantial part by grants from the Private Sector Program. The Artistic Ambassador Program files will be used to select individuals to compete in regional auditions designated by geographical distribution (i.e. West and Southwest, Midwest and South, East Coast).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

The information relating to American Travelers in this system will be used to compile an annual report for the Speaker of the House of Representatives and the Chairman of the Senate Foreign Relations Committee as required by Pub. L. 98-164. This file has no other use. Users of this file will be employees of the USIA Office of Private Sector Programs having a need to access the information.

The Artistic Ambassador Program file will be used by employees of the USIA Office of Private Sector Programs in performance of their duties and by judges to record information on the technical and artistic ability of the artist, which information is ultimately used in selecting winners of competition.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Information will be maintained in a word processor on list processing with limited access and in file folders under individuals' names.

Retrievability:

Records are retrieved by name and organizational affiliation.

Safeguards:

Records of American travelers are maintained on a word processor located in the USIA Office of Private Sector Programs, and are password protected, so that the file can only be accessed by employees having a need to obtain information which is available only in the file.

Records of the Artistic Ambassador Program are maintained in file folders and kept in file cabinets secured by bar lock or combination lock.

Retention and disposal:

Files will be retained for a minimum of five years, but not longer than seven years, at which time they will be disposed of in accordance with the USIA disposal schedules.

System manager(s) and address:

Chief, Private Sector Programs Division (E/PS), U.S. Information Agency, 301-4th Street, SW, Washington, DC 20547.

Notification procedure:

Freedom of Information/Privacy Acts Coordinator (GC), U.S. Information Agency, 301-4th Street, SW, Washington, DC 20547.

Record access procedures:

Requests from individuals should be addressed to the Freedom of Information/Privacy Acts Coordinator (GC), U.S. Information Agency, 301-4th Street, SW, Washington, DC 20547.

Contesting record procedures:

The U.S. Information Agency's rules for access and for contesting contents and appeal of initial determinations by the individual concerned are published in Part 505, Title 22, U.S. Code of Federal Regulations.

Record source categories:

Information obtained from grantee organizations and individual grantees.

Systems exempted from certain provisions of the act:

None.

APPENDIX I

Prefatory Statement of General Routine Uses

The following routine uses apply to, and are incorporated by reference into, each system of records set forth above.

1. In the event that a system of records maintained by the Agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute; or rule, regulation or order issued pursuant thereto.

2. A record from this system of records may be disclosed, as a routine use, to a federal, state, or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an Agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

3. A record from this system of records may be disclosed, as a routine use, to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

4. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

5. A record in this system of records which contains medical information may be disclosed, as a routine use, to the medical advisor of any individual submitting a request for access to the record under

the Act and 22 CFR Part 505 if, in the sole judgment of the Agency, disclosure could have an adverse effect upon the individual, under the provision of 5 U.S.C. 552a(f)(3) and implementing regulations at 22 CFR 505.6.

6. The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

7. A record from this system of records may be disclosed to an authorized appeal grievance examiner; a formal complaints examiner; an equal employment opportunity investigator; an arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint or appeal filed by an employee. A record from this system of records may be disclosed to the U.S. Civil Service Commission in accordance with the Agency's responsibility for evaluation and oversight of federal personnel management.

8. A record from this system of records may be disclosed to authorized employees of a federal agency for purposes of audit.

9. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

10. A record from this system of records may be disclosed, as a routine use, to the Department of State and its posts abroad for the purpose of transmission of information between organizational units of the Agency, or for purposes related to the responsibilities of the Department of State in conducting foreign policy or protecting United States citizens, such as the assignment of employees to positions abroad, the reporting of accidents abroad, evacuation of employees and dependents, and other purposes for which officers and employees of the Department of State have a need for the records in the performance of their official duties.

11. A record in this system of records may be disclosed, as a routine use, to a foreign government or international agency when necessary to facilitate the conduct of U.S. relations with that government or agency through the issuance of such documents as visas, country clearances, identification cards, drivers' licenses, diplomatic lists, licenses to import or export personal effects, and other official documents and permits routinely required in connection with the official service or travel abroad of the individual and his or her dependents.

12. A record in this system of records may be disclosed, as a routine use to Federal agencies with which the Agency has entered into an agreement to provide services to assist the Agency in carrying out its functions under the Foreign Assistance Act of 1961, as amended. Such disclosures would be for transmitting information between organizational units of the Agency, for providing to the original employing agency information concerning the services of its employee while under the supervision of the Agency, including performance evaluations, reports of conduct, awards and commendations and information normally obtained in the course of personnel administration and employee supervision, or for providing other information directly related to the purpose of the inter-agency agreement as set forth therein, and necessary and relevant to its implementation.

13. A record in this system of records may be disclosed, as a routine use, to the Department of Justice to determine whether disclosure thereof is required by the Freedom of Information Act (5 U.S.C. 552).

14. A record in this sytem of records may be disclosed, as a routine use, when the information is subject to exemption under the Freedom of Information Act (5 U.S.C. 552) but the Agency, in its discretion, determines not to assert the exemption.

15. A record from this system of records may be disclosed, as a routine use, only to State and local taxing authorities with which the Secretary of the Treasury has entered into agreements and only to those State and local taxing authorities for which the employee is subject to tax (whether or not tax is withheld).

Title 22-Foreign Relations

Chapter V-United States Information Agency

PART 505—PRIVACY ACT POLICIES AND PROCEDURES

Sec.
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Authority: Pub. L. 93–579, 88 Stat. 1897; 5 U.S.C. 552a.

Source: 40 FR 49278, Oct. 21, 1975, unless otherwise noted.

Editorial note: Nomenclature changes affecting Part 505 appear at 51 FR 11015, April 1, 1986.

§ 505.1 Purpose and scope.

The International Communication Agency will protect individual privacy from misuse of its records, and grant individuals access to records concerning them which are maintained by the Agency's domestic and overseas offices, consistent with the provisions of Pub. L. 93–579, the Privacy Act of 1974. The Agency has also established procedures to permit individuals to amend incorrect records, to limit the disclosure of personal information to third parties, and to limit the number of sources of personal information. The Agency has also established internal rules restricting requirements of individuals to disclose social security account numbers.

§ 505.2 Definitions.

As used in this section, the following definitions shall apply:

(a) Agency means the International Communication Agency, its offices, divisions, branches and its Foreign Service establishments.

(b) Individual means a citizen of the United States or an alien lawfully admitted for permanent residence.

(c) Maintain means collection, use, dissemination or any combination of these record keeping functions; control over and hence responsibility and accountability for systems of records.

(d) Record means any item, collection, or grouping of information about an individual that is maintained by the Agency, including, but not limited to, education, financial transactions, medical history, and criminal or employment history that contains the individual's name, or the identifying particular assigned to the individual, such as a finger or voice print or photograph.

(e) System of records means a group of any records under the control of the Agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to an individual.

(f) Statistical record means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided in 13 U.S.C. 8.

(g) Routine use means the common and ordinary purposes for which records are used, and all of the proper and necessary uses even if any such use occurs infrequently.

(h) Amend means to make any correction to any portion of the record which the individual believes is not accurate, relevant, timely or complete.

(i) Personnel record means any personal information maintained in a system of records that is needed for personnel management programs or processes such as staffing, employee development, retirement, and grievances and appeals.

(j) Committee on Public Information Policy means the body established by and responsible to the Director of USICA for reviewing appeals from individuals to amend records held by the Agency.

§ 505.3 Procedures for requests pertaining to individual records in a system of records.

(a) The Agency will consider all requests received from an individual for records pertaining to himself or herself at a request made under the Privacy Act of 1974 (5 U.S.C. 552a), whether or not the individual specifically cites the Privacy Act of 1974 when making the requests.

(b) All requests under the Privacy Act should be directed to the Office of General Counsel and Congressional Liaison, 301 4th Street, NW, Washington, D.C. 20547, which will coordinate the search of all systems of records specified in the request. Guidelines for preparation of a request are published in the Agency's Annual Public Notice. 1(c) Requests directed to the Agency's overseas posts which involve routine, unclassified, administrative and personnel records available only at those posts may be released to the individual if the post determines that such release is authorized by the Privacy Act. All other requests shall be submitted by the post to the Office of General Counsel and Congressional Liaison, as noted in paragraph (b) of this section, and the individual so notified of this action in writing.

(d) Information, documents and forms which have previously been provided to the public as part of the normal services of the Agency will continue to be made available on the same basis.

(e) In those instances where an individual requests records pertaining to himself or herself, as well as records pertaining to another individual, group, or some other category of the Agency's records, only that portion of the request which pertains to records concerning the individual will be treated as a Privacy Act request. The remaining portions of such a request will be processed by the Agency's Office of General Counsel and Congressional Liaison as a Freedom of Information request.

[40 FR 49278, Oct. 21,1975 as amended at 46 FR 18972, Mar. 27,1981; 45 FR 11015, Apr. 1, 1986]

§ 505.4 Times, places, and requirements for identification of individuals making requests.

(a) *In person*—(1) *Times and places.* Individuals seeking access to Agency records may present themselves in person at USICA's Office of General Counsel and Congressional Liaison, 301 4th Street, NW, Washington, D.C. 20547, between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday, except on legal holidays.

(2) *Identification procedures.* Some form of identification will be required of individuals requesting access to records in person. Acceptable forms of identifications are: Driver's license, employee identification card, passport or Medicare card, or supplying of data which presumably would be known only to the person making the request. An individual will also be required to sign a statement asserting his or her identity, which stipulates that knowingly and willfully seeking or obtaining access to records about another individual under false pretenses is punishable by a fine of up to
5,000.

(b) *By mail.* The Agency will require a signed statement from an individual requesting access to records by mail, confirming identity and stipulating that the individual understands that knowingly and willfully seeking or obtaining access to records about another individual under false pretenses is punishable by a fine of up to 5,000.

[40 FR 49278, Oct.21, 1975, as amended at 51 FR 11015, Apr. 1, 1986]

§ 505.5 Disclosure of requested information to individuals.

(a) *Information necessary to identify a record.* Whenever possible, an individual should furnish all the identifying information requested for the particular record system(s) as published in the Public Notice appearing in the **Federal Register**. This information will facilitate the search of the record system(s) and assist the Agency in locating those records which actually pertain to the individual. As a minimum, any request should include the individual's full name, present mailing address and zip code, and the date and place of birth, and any other information or statements required under the access procedures in paragraph (b) of this section. In certain instances, it may be necessary for the Agency to request additional information from the individual to ensure that the retrieved record does, in fact, pertain to him or her.

(b) *Access to records*—(1) *Acknowledgment of requests.* All requests for information on whether or not the Agency's system or systems of records contain information about the individual will be acknowledged within ten working days after receipt of the request by the Office of General Counsel and Congressional Liaison.

(2) *Time limits.* Whenever possible the Agency will furnish the requested records within ten working days of receipt of the request. The Agency's ability to respond to requests within ten working days will be affected by the volume of pending requests on hand, and the need, whenever necessary, to:

(i) Search for and collect the requested records from overseas posts or other establishments that are separate from the office processing the request;

(ii) Search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request;

(iii) Consult, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the Agency having a subject matter interest therein;

(iv) Request additional identifying information to assist the Agency in locating the requested records.

(c) *Access instructions*—(1) *In person.* Access to a record will be granted in person if desired by the individual, at a time and place which is mutually agreeable. In person access to records will require the same identification procedure outlined in § 505.4(a)(2) of this Part.

(2) *By mail.* If it is determined that access to records can be granted only by mail because the Agency cannot provide reasonable means for individuals to have access to records in person, copies of requested records may be sent to the home address provided by the requester, contingent upon verification of identification as described in §§ 505.4(a)(2) and/or 505.4(b).

(d) *Vertification of personal identity.* In certain cases where the Agency determines that the substance of the requested record is of sufficient sensitivity, it may require the individual to furnish a signed, notarized statement that he or she is in fact the person he or she represents himself or herself to be before granting access to records. The Agency will so inform the individual at the time the record is retrieved whether or not such a statement is necessary.

(e) *Original records.* Originals, or record copies thereof, will not be released from the custody of the records system manager. Copies will be furnished in accordance with established fees contained in § 505.11 of this Part.

(f) *Denial of access to records.* (1) The requirements of this section do not entitle an individual the right to access to any information compiled in reasonable anticipation of a civil action or proceeding.

(2) The Agency is not required to permit access to records by an individual if the information is not retrievable by the individual's name or other identifying particular.

(3) Access shall not be granted to an individual who requests information about himself or herself which might be contained in the file of another individual.

(4) The Agency reserves the right to deny an individual access to a record or portion thereof, which, following a review, is determined to fall within the categories of exemptions authorized in 5 U.S.C. 552a(j) and 552a(k). See §§ 505.13 and 505.14 for a listing of general and specific exemptions.

(5) The decision to deny access shall be made by an Agency official of the rank equivalent to Deputy Director, Office of Public Liaison (PL) or higher who is responsive for the system of records. When an authorized official denies access to a record or portion thereof under this Part, he/she will so advise the Chairperson of the Committee on Public Information Policy, who will inform the individual in writing of the denial and the specific reasons therefore. The denial letter will also advise the individual of his or her right to seek judicial review of the Agency's decision.

[40 FR 49278, Oct. 21,1975 as amended at 46 FR 18972, Mar. 27,1981; 45 FR 11015, Apr. 1, 1986]

§ 505.6 Special procedures: Medical records.

If, in the judgment of the Agency, the release of medical information directly to the requester could have an adverse effect on the requester, the Agency will attempt to arrange an acceptable alternative in granting access of such records to the requester. This will normally involve the release of such information to a doctor named by the requester.

§ 505.7 Request for correction or amendment of record.

(a) *Requests for amending records.* (1) An individual has the right to request that the Agency amend a record pertaining to him or her which the individual believes is not accurate, relevant, timely, or complete. At the time the Agency grants access to a record, it will furnish guidelines for requesting amendments to the record. These guidelines will also be available in the USIA Office of General Counsel and Congressional Liaison, 301 4th Street, NW, Washington, D.C. 20547, or may be obtained by writing the Director of Public Liaison, at the above address.

(2) Requests for amendments to records must be in writing and mailed or delivered to the Director of Public Liaison, 301 4th Street, NW, Washington, D.C. 20547, who will coordinate the review of the request to amend a record with the appropriate office(s). Such requests should contain, as a minimum, identifying information needed to locate the record, a brief description of the item or items of information to be amended, and the reason for the requested change. The requester should submit as much documentation, arguments or other data as seems warranted to support the request for amendment.

(b) *Acknowledging receipt of requests to amend records.* Whenever possible the Agency will review all requests for amendments to records within ten working days of receipt of the request by the Director of Public Liaison, and advise the requester of the results of the review. In those cases where the review cannot be completed within ten working days, the Agency will so advise the requester and inform him or her when the review will be completed. Except in very unusual circumstances, this review will be completed no later than thirty working days after receipt of the request to amend a record.

[40 FR 49278, Oct. 21, 1975, as amended at 45 FR 17571, Mar. 19, 1980; 51 FR 11015, Apr. 1, 1986]

§ 505.8 Agency review of requests for correction or amendment of records.

(a) In reviewing a record in response to a request to amend, the Agency shall incorporate the criteria of accuracy, relevance, timeliness, or completeness of the record in the review.

(b) If the Agency agrees with an individual's request to amend a record, it shall:

(1) So advise the individual in writing;

(2) Correct the record accordingly; and

(3) If an accounting of disclosure has been made, advise all previous recipients of the record which was corrected of the correction and its substance.

(c) If the Agency, after an initial review of a request to amend a record, disagrees with all or any portion of it, the Agency shall:

(1) Advise the individual of its refusal and the reasons for the determination; and

(2) Inform the individual that he or she may request a further review in accordance with § 505.9.

§ 505.9 Appeal of initial adverse Agency determination on correction or amendment.

(a) If an individual disagrees with the Agency's initial refusal to amend a record, he or she may appeal that determination. The appeal must be in writing and should be sent by certified mail to the Chairperson, Committee on Public Information Policy, United States Information Agency, 301 4th Street , NW, Washington, D.C. 20547. The appeal should include any documentation, information or statements advanced to substantiate the request for amendment.

(b) A review of the appeal will be conducted by the Director of USIA or an Agency official whom he/she designates in writing who is senior to the official who made the initial determination.

(c) Appeals or that portion of an appeal involving the personnel records of active Foreign Service employees of the Agency will be referred to the Foreign Service Grievance Board for review and final determination at such times as the Board's procedures are in full compliance with the Privacy Act.

(d) The time for decision on the appeal begins on the date the appeal is actually received by the Chairperson of the Committee on Public Information Policy. The final Agency determination will be made within thirty working days, unless the Agency official has determined that a fair and equitable review cannot be completed in that time. If additional time is required, the individual will be informed in writing of the reasons for the delay and the approximate date on which the review is expected to be completed.

(e) The Agency official will make the final determination on the appeal, except as provided in paragraph (c) of this section, whether or not, and to what extent, to amend the records as requested by the individual. A written record of the reasons for the decision will be maintained by the Agency official, who will communicate his/her final determination to the Chairperson of the Committee on Public Information Policy. The Chairperson will advise the individual in writing of the Agency's decision on his or her appeal.

(f) If the Agency official determines to deny the individual's appeal to amend records, the Chairperson shall advise the individual:

(1) Of the Agency's refusal and the reasons for it;

(2) Of his or her right to file a concise statement of the reasons for disagreeing with the decision of the Agency;

(3) Of the procedures for filing the statement of disagreement;

(4) That the statement which is filed will be made available to anyone to whom the record is subsequently disclosed together with, at the discretion of the Agency, a brief statement by the Agency summarizing its reasons for refusing to amend the record;

(5) That prior recipients of the disputed record will be provided a copy of any statement of dispute to the extent that an accounting of disclosures was maintained; and

(6) His or her right to seek judicial review of the Agency's refusal to amend.

(g) When an individual files a statement disagreeing with the Agency's refusal to amend a record, the Agency will clearly annotate the record so that the fact that the record is disputed is apparent to anyone who may subsequently have access to, use, or disclose it. When information that it is the subject of a statement of dispute filed by an individual is subsequently disclosed, the Agency will note that the information is disputed and provide a copy of the individual's statement. The Agency may also include a brief summary of the reasons for not making a correction when disclosing disputed information. Such statements will be limited to the reasons given to the individual for not amending the record. Copies of the Agency's statement shall be treated as part of the individual's record for granting access; however, it will not be subject to amendment by the individual under these regulations.

[40 FR 49278, Oct. 21, 1975, as amended at 51 FR 11015, Apr. 1, 1986]

§ 505.10 Disclosure of record to persons other than the individual to whom it pertains.

The Agency will not disclose any information about an individual to any person or another agency without the prior consent of the individual about whom the information is maintained, except as provided for in the following paragraphs.

(a) Medical records means such records will be disclosed to a doctor or other medical practitioner, with the consent of the individual, as prescribed in § 505.6 of this Part.

(b) Accompanying individual means if, when exercising a right of access to records, the requester is accompanied by any other person, the Agency will require that the requester sign a statement granting consent to the disclosure of the contents of the record to the person accompanying him or her.

(c) Designees means individuals, other than the original requester, who request access to records pertaining to the original requester, must present, in writing, a signed statement from the original requester authorizing and consenting to the release of his or her records to the designated individual.

(d) Guardians means the parent(s) of any dependent minor, or the legal guardian of an individual who has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, may act for an on behalf of the individual on whom the Agency maintains records.

(e) Other disclosures permitted by the Privacy Act means a record may be disclosed without either the request or written consent of the individual to whom a record pertains if such disclosure is authorized under the conditions of disclosure in 5 U.S.C. 552a(b). These conditions are:

(1) *Disclosure within the Agency.* This provision is based on a "need-to-know" concept. The Privacy Act recognizes that Agency personnel require access to records to discharge their duties.

(2) *Disclosure to the public.* The Agency is not required to obtain the

consent of an individual before disclosing a record about him or her to a member of the public to whom the Agency is required to disclose such information under the Freedom of Information Act. The Agency may, however, withhold records from a member of the public if such records are exempted from disclosure under the Freedom of Information Act, such as for an unwarranted invasion of personal privacy.

(3) *Disclosure of a routine use.* Records may be disclosed without the prior consent of an individual for a "routine use", as defined in § 505.2(g) of this part, and as described in the required annual public notice about the system published in the **Federal Register**.

(4) *Disclosure to the Bureau of the Census.* The Agency may disclose records to the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity. Title 13 U.S.C. section 8 limits the uses which may be made of these records and also makes them immune form compulsory disclosure.

(5) *Disclosure for statistical research and reporting.* Records may be disclosed for statistical research or reporting purposes only after the Agency has received and evaluated a written statement which explains the purpose for requesting the records, and certifies that the records will be used only as statistical records.

(6) *Disclosure to the National Archives.* The Agency may disclose records to the National Archives of the United States pursuant to 44 U.S.C. 2103, which provides for the preservation of records of historical or other value.

(7) *Disclosure for law enforcement purposes.* The Agency may disclose a record to another agency or unit of state or local government upon receipt of a written request describing the law enforcement purpose for which the record is required, and specifying the particular record required. Blanket requests for all records pertaining to an individual are not permitted by the Privacy Act.

(8) *Disclosure under emergency circumstances.* The Agency may disclose records when the time required to obtain the consent of the individual to whom the record pertains might result in a delay which could impair the health or safety of an individual, e.g., release of medical records on a patient undergoing emergency treatment.

(9) *Disclosure to the Congress.* Records on individuals may be furnished to either House of Congress, or with regard to matters within their jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee.

(10) *Disclosure to the General Accounting Office.* Records on individuals may be disclosed to the Comptroller General or any of his/hers authorized representatives, in the course of the performance of the duties of the General Accounting Office.

(11) *Disclosure pursuant to court order.* Agency records may be disclosed as required pursuant to the order of a court of competent jurisdiction.

[40 FR 49278, Oct. 21, 1975, as amended at 45 FR 17571, Mar. 19, 1980]

§ 505.11 Fees.

(a) The Agency will charge a fee of $0.15 per page for copies of documents which are identified by an individual and reproduced at the individual's request for retention. There will be no charge for requests involving costs of $1.00 or less.

(b) The first copy of an individual's personnel record will be furnished free of charge.

(c) Remittances shall be in the form either of a personal check or bank draft drawn on a bank in the United States, a postal money order, or cash. Remittances shall be made payable to the order of the Treasurer of the United States and mailed to the Office of General Counsel and Congressional Liaison, 301 4th Street, NW., Washington, D.C. 20547. The Agency will assume no responsibility for cash sent by mail.

(d) A receipt for fees paid will be given only upon request.

[40 FR 49278, Oct. 21, 1975, as amended at 43 FR 14301, Apr. 4, 1978; 51 FR 11015, Apr. 1, 1986]

§ 505.12 Civil Remedies and Criminal Penalties.

(a) *Grounds for court action.* An individual will have a remedy in the Federal District Courts under the following circumstances:

(1) *Denial of access.* Individuals may challenge an Agency decision to deny them access to records to which they consider themselves entitled.

(2) *Refusal to amend a record.* Under conditions prescribed in 5 U.S.C. 552a(g), an individual may seek judicial review of the Agency's refusal to amend a record.

(3) *Failure to maintain a record accurately.* An individual may bring suit against the Agency for any alleged intentional and willful failure to maintain a record accurately, if it can be shown that the individual was subjected to an adverse action resulting in the denial of a right, benefit, entitlement or employment the individual could reasonably have expected to be granted if the record had not been deficient.

(4) *Other failures to comply with the Act.* An individual may bring an action for any alleged failure by the Agency to comply with the requirements of the Act or failure to comply with any rule published by the Agency to implement the Act provided it can be shown that:

(i) The action was "intentional or willful";

(ii) The Agency's action had an adverse effect upon the individual;

(iii) The adverse action was caused by the Agency's actions.

(b) *Jurisdiction and time limits.* (1) Action may be brought in the district court for the jurisdiction in which the individual resides or has a place of residence or has a place of business, or in which the Agency records are situated, or in the District of Columbia.

(2) The statute of limitations is two years from the date upon which the cause of action arises, except for cases in which the Agency has materially or willfully misrepresented any information required to be disclosed and when such misrepresentation is material to the liability of the Agency. In such cases the statute of limitations is two years from the date of discovery by the individual of the misrepresentation.

(3) A suit may not be brought on the basis of injury which may have occurred as a result of the Agency's disclosure of a record prior to September 27, 1975.

(c) *Criminal Penalties*—(1) *Unauthorized disclosure.* It is a criminal violation of the provisions of the Act for any officer or employee of the Agency knowingly and willfully to disclose a record in any manner to any person or agency not entitle to receive it, for failure to meet the conditions of disclosure enumerated in 5 U.S.C. 552a(b), or without the written consent or at the request of the individual to whom the record pertains. Any officer or employee of the Agency found guilty of such misconduct shall be fined not more than
5,000

(2) *Failure to publish a public notice.* It is a criminal violation of the Act willfully to maintain a system of records and not to publish the prescribed public notice. Any officer or employee of the Agency found guilty of such misconduct shall be fined not more than
5,000.

(3) *Obtaining records under false pretenses.* The Act makes it a criminal offense knowingly and willfully to request or gain access to a record about an individual under false pretenses. Any

person found guilty of such an offense may be fined not more than $5,000.

§ 505.13 General exemptions.

(a) General exemption for the Central Intelligence Agency files of the Central Intelligence Agency are exempted from certain provisions of the Act.

(b) General exemption for criminal law enforcement records. Records of any agency or component thereof engaged in criminal law enforcement activities are exempted from disclosure under the Act. Specifically exempted under this provision of the Act are records which are:

(1) Compiled for the purposes of identifying information on an individual regarding arrests, nature and disposition of criminal charges, sentencing, confinement, release and parole of probation status;

(2) Compiled for the purpose of criminal investigation, including reports of informants and investigators, and associated with an identifiable individual;

(3) Reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision.

§ 505.14 Specific exemptions.

The following categories of records maintained by the Agency may be exempted from disclosure:

(a) *Exemption for classified material.* The Act exempts from disclosure those records which are specifically authorized under criteria established under an Executive Order to be kept secret in the interest of national defense or foreign policy, and which are in fact properly classified pursuant to such Executive Order.

(b) *Exemption for investigatory material compiled for law enforcement purposes.* To the extent that an investigatory record is used as a basis for denying an individual any right, privilege or benefit, including employment, to which the individual would be entitled in the absence of that record, the individual must be granted access to that record except to the extent that access would reveal the identity of a confidential source.

(c) *Exemption for records maintained to provide protective services.* This exemption covers records which are not within the scope of law enforcement records covered under paragraph (b) of this section, but which are necessary to assure the safety of the President of the United States and other individuals protected pursuant to 18 U.S.C. 3056.

(d) *Exemption for statistical records.* The Agency may exempt a system of records which is used solely for the purpose of generating aggregate data or for other similarly evaluative or analytical purposes, and which are not used to make decisions on the rights, benefits or entitlements of individuals except for the disclosure of a census record to an individual permitted by 13 U.S.C. 8.

(e) *Exemption for investigatory material compiled for determining suitability for federal employment or military service.* A system of records may be exempted from certain provisions of the Act if disclosure of records would cause the identity of a confidential source to be revealed. This exemption may be invoked only if the following conditions are met:

(1) The record is maintained only for purposes of determining an individual's qualifications, eligibility, or suitability for military service, employment in the civilian service or on a federal contract, or need for access to classified material

(2) The information considered relevant and necessary to making a judicious determination as to qualifications, eligibility or suitability could only be obtained by providing assurance to the source that his or her identity would not be revealed to the subject of the record, e.g., for "critical sensitive positions."

(3) Disclosure of the record with the identity of the source removed would likely reveal the identity of the source, e.g., the record contains information which could only have been furnished by one of several individuals known to the subject.

(f) *Exemption for testing or examination material.* The Agency may exempt testing or examination material used to assess the qualifications of an individual for appointment or promotion in the federal service only if disclosure of the record to the individual would reveal information about the testing process which would give an individual an unfair competitive advantage.

(g) *Exemption for material used to evaluate potential for promotion in the armed services.* Application of an exemption for material used in evaluating the potential for promotion of members of the armed services must meet the same tests and conditions that are applied under paragraphs (b) and (e) of this section, i.e. revealing a confidential source.

(h) *Records of other agencies.* Any Agency record system which contains information originated by another agency whose record system are exempt from certain provisions of the Act will not be disclosed by USICA. (See § 505.13, *General exemptions.*)

[40 FR 49278, Oct. 21, 1978, as amended at 44 FR 16374, Mar. 19, 1979]

§ 505.15 Exemptions of systems of records.

Portions of the following systems of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4), (G), (H) and (I), and (f).

(a) Exempt under 5 U.S.C. 552a(k)(1). The reason for invoking this exemption is to protect material required to be kept secret in the interest of national defense and foreign policy.

USIA-19—Legal Files—GC
USIA-24—Personnel Security and Integrity Records—M/S

(b) Exempt under 5 U.S.C. 552a(k)(2). The reasons for invoking this exemption are to prevent individuals who are subjects of an investigation from frustrating the investigatory process; to insure the integrity of law enforcement activities; to prevent the disclosure of investigative techniques; and to protect the confidentiality of sources of information.

USIA-19—Legal Files—GC
USIA-24—Personnel Security and Integrity Records—M/S

(c) Exempt under 5 U.S.C. 552a(k)(5). The reasons for invoking this exemption are to insure the proper functioning of the investigatory process, to insure effective determination of suitability, eligibility and qualifications for employment, and to protect the confidentiality of sources of information:

USIA-12—Employee Relations Files—M/P
USIA-15—Equal Employment Opportunity Complaint Files—M/E
USIA-16—Equal Employment Opportunity General Files—M/E
USIA-19—Legal Files—GC
USIA-24—Personnel Security and Integrity Records—M/S
USIA-30—Recruitment Records—M/P

(d) Exempt under 5 U.S.C. 552a(k)(6). The reasons for invoking this exemption are to prevent the compromise of testing or evaluation material used solely to determine individual qualifications for employment or promotion, and to avoid giving unfair advantage to individuals by virtue of their having access to such material:

USIA-12—Employee Relations Files—M/P
USIA-13—Employee Training Files—M/PT
USIA-21—Employee Master Personnel Records—M/P
USIA-30—Recruitment Records—M/P.

[41 FR 41425, Sept. 22, 1976, as amended at 44 FR 16374, Mar. 19, 1979; 51 FR 11015, Apr. 1, 1986]

WATER RESOURCES COUNCIL

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WRC—2

System name: General Financial Records—U.S. Water Resources Council (WRC).

System location: General Services Administration, Central Office; copies held by the Council at 2120 L Street, NW., Washington, D.C. 20037. (GSA holds records for the Council under contract.)

Categories of individuals covered by the system: Council employees.

Categories of records in the system: SF 1038, application and account for advance of funds; vendor register and vendor payment tape. Information is used by accounting technicians to maintain adequate financial information and by other offices and employees of GSA and the Council who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally; 42 U.S.C. 1962a et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix. Records also are released to GAO for audits; to the IRS for investigation; and to private attorneys, pursuant to a power of attorney.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and tape.

Retrievability: Manual and automated by name.

Safeguards: Stored in guarded building, released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address:

Administrative Officer
U.S. Water Resources Council
2120 L Street, NW.,
Washington, D.C. 20037

Notification procedure: Contact system manager listed above.

Record access procedures: See Council access regulations in 18 CFR section 701.305.

Contesting record procedures: See Council access regulations in 18 CFR 701.307.

Record source categories: The subject individual; the Council.

WRC—4

System name: Payroll Records—U.S. Water Resources Council (WRC).

System location: General Services Administration Region 3 Office; copies held by the Council 2120 L Street, NW., Washington, D.C. 20037. (GSA holds records for the Council under contract.)

Categories of individuals covered by the system: Past and present Council employees.

Categories of records in the system: Varied payroll records, including, among other documents, time and attendance cards; payment vouchers; comprehensive listing of employees; health benefits records; requests for deductions; tax forms; W-2 forms; overtime requests; leave data; retirement records. Records are used by Council and GSA employees to maintain adequate payroll information for Council employees, and otherwise by Council and GSA employees who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally; 42 U.S.C. 1962a et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix. Records also are disclosed to GAO for audits; to the Internal Revenue Service for investigation; and to private attorneys, pursuant to a power of attorney.

A copy of an employee's Department of the Treasury Form W-2, Wage and Tax Statement, also is disclosed to the State, city, or other local jurisdiction which is authorized to tax the employee's compensation.

The record will be provided in accordance with a withholding agreement between the State, city, or other local jurisdiction and the Department of the Treasury pursuant to 5 U.S.C. 5516, 5517, or 5520, or, in the absence thereof, in response to a written request from an appropriate official of the taxing jurisdiction to the Administrative Officer, U.S. Water Resources Council, 2120 L Street, NW., Washington, D.C. 20037. The request must include a copy of the applicable statute or ordinance authorizing the taxation of compensation and should indicate whether the authority of the jurisdiction to tax the employee is base on place of residence, place of employment, or both.

Pursuant to a withholding agreement between a city and the Department of the Treasury (5 U.S.C. 5520), copies of executed city tax withholding certificates shall be furnished the city in response to written request from an appropriate city official to the Administrative Officer, U.S. Water Resources Council, 2120 L Street, NW., Washington, D.C. 20037.

In the absence of a withholding agreement, the Social Security Number will be furnished only to a taxing jurisdiction which has compel disclosure of the Social Security Number, in accordance with Section 7 of the Privacy Act, Pub. L. 93-579.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microfilm.

Retrievability: Social Security Number.

Safeguards: Stored in guarded building, released only to authorized personnel.

Retention and disposal: Disposition of records will be in accordance with the HB GSA Records Maintainance and Disposition Sytem (OAD P 1820.2).

System manager(s) and address: General Services Administration Region 6 Office; copies held by the Council, 2120 L Street, NW., Washington, D.C. 20037. (GSA holds records for the Council under contract.)

Notification procedure: Contact system manager listed above.

Record access procedures: See Council access regulations in 18 CFR 701.305.

Contesting record procedures: See Council access regulations in 18 CFR 701.307.

Record source categories: The subject individual; the Council.

APPENDIX—WRC

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

A record from this system of records may be disclosed as a "routine use" to a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of Federal personnel management.

A record from this system of records may be disclosed to officers and employees of a Federal agency for purposes of audit.

Information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

A record from this system of records may be disclosed as a routine use to a Member of Congress or to a congressional office made at the request of the individual about whom the record is maintained.

A record from this system of records may be disclosed to officers and employees of the General Services Administration in connection with administrative services provided to this agency under agreement with GSA.

Title 18-Conservation of Power and Water Resources

Chapter VI-Water Resources Council

PART 701—COUNCIL ORGANIZATION

Sec.

Subpart E—Protection of Privacy

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Subpart E—Protection of Privacy

Authority: Sec. 402. Water Resources Planning Act of 1965 (Sec. 402. Pub. L. 89-80; 79 Stat. 254. as amended (42 U.S.C. 1962d-1)) and the Privacy Act of 1974 (Pub. L. 93-579; 88 Stat. 1896 (5 U.S.C. 552a)). unless otherwise noted.

Source: 40 FR 45676. Oct. 2. 1975. unless otherwise noted.

§ 701.300 Purpose and scope.

(a) The purpose of this subpart is to set forth rules to inform the public about information maintained by the U.S. Water Resources Council relating to identifiable individuals and to inform those individuals how they may gain access to and correct or amend information about themselves.

(b) The regulations in this subpart implement the requirements of the Privacy Act of 1974 (Pub. L. 93-579; 88 Stat. 1896 (5 U.S.C. 552a)).

(c) The regulations in this subpart apply only to records disclosed or requested under the Privacy Act of 1974, and not requests for information made pursuant to the Freedom of Information Act, as amended (5 U.S.C. 552, as amended by Pub. L. 93-502).

§ 701.301 Definitions.

For the purposes of this subpart, unless otherwise required by the context:

(a) "Council" means the U.S. Water Resources Council;

(b) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent resident;

(c) "Maintain" means maintain, collect, use or disseminate;

(d) "Record" means any item, collection, or grouping of information about an individual that is maintained by the Council, including, but not limited to, his education, financial transactions, medical history and criminal or employment history, and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph;

(e) "Adverse determination" means a decision by the proper Council official to deny, in whole or in part, a request from an individual for a correction or amendment of a record concerning the individual and maintained by the Council; and,

(f) "Record system" means "system of records" as defined in the Act, i.e., a group of any records under the control of the Council from which information is retrieved by the name of the individual or by some identifying particular assigned to the individual.

§ 701.302 Procedures for notification of existence of records pertaining to individuals.

(a) The systems of records, as defined in the Privacy Act of 1974, maintained by the Council are listed annually in the **Federal Register** as required by that Act. Any individual may request the Council to inform him or her whether a particular record system named by the individual contains a record pertaining to him or her. The request may be made in person during business hours or in writing at the location and to the person specified in the notice describing that record system.

(b) An individual who believes that the Council maintains records pertaining to him or her but who cannot determine which records system contains those records, may request assistance by mail or in person at the Division of Program Coordination and Management, 2120 L Street, NW., Washington, D.C. 20037, during business hours (8:00 a.m. through 4:30 p.m., Monday through Friday, excluding legal holidays).

(c) The Council will attempt to respond to a request as to whether a record exists within 10 working days from the time it receives the request or to inform the requestor of the need for additional time or additional information within 10 working days. If a request is complied with within 10 working days, no separate acknowledgment will be made.

[40 FR 45676, Oct. 2, 1975, as amended at 41 FR 8343, Feb. 26, 1976]

§ 701.303 Conditions of disclosure.

(a) Subject to the conditions of paragraphs (b) and (c) of this section, the Council will not disclose any record which is contained in a system of records, by any means of communication to any person who is not an individual to whom the record pertains.

(b) Upon written request or with prior written consent of the individual to whom the record pertains, the Council may disclose any such record to any person or other agency.

(c) In the absence of a written consent from the individual to whom the record pertains, the Council may disclose any such record provided such disclosure is:

(1) To those officers and employees of the Council who have a need for the record in the performance of their duties;

(2) Required under the Freedom of Information Act (5 U.S.C. 552);

(3) For a routine use compatible with the purpose for which it was collected;

(4) To the Bureau of Census for purposes of planning or carrying out a census or survey or related activity under the provisions of Title 13 of the United States Code;

(5) To a recipient who has provided the Council with adequate advance written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(7) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity authorized by law: *Provided*, The head of the agency or instrumentality has made a prior written request to the Assistant Director Program Coordination and Management specifying the particular record and the law enforcement activity for which it is sought;

(8) To a person pursuant to a showing of compelling circumstance affecting the health or safety of an individual: *Provided*, That upon such disclosure notification is transmitted to the last

known address of such individual (and see § 701.306);

(9) To either House of Congress, and to the extent of a matter within its jurisdiction, any committee or subcommittee, or joint committee of Congress;

(10) To the Comptroller General, or any of his authorized representatives in the course of the performance of the duties of the GAO; or

(11) Under an order of a court of competent jurisdiction.

§ 701.304 Procedures for identification of individuals making requests.

(a) Each individual requesting the disclosure of a record or copy of a record will furnish the following information with his or her request: (1) The name of the record system containing the record; (2) proof as described in paragraph (b) of this section that he or she is the individual to whom the requested record relates; and (3) any other information required by the notice describing the record system.

(b) Proof of identity as required by paragraph (a)(2) of this section will be provided as described in paragraph (b)(1) and (2) of this section. Requests made by an agent, parent, or guardian will include the authorization described in § 701.310(a) and (b).

(1) Requests made in writing will include a statement, signed by the individual and properly notarized, that he or she appeared before a notary public and submitted proof of identification in the form of a drivers license, birth certificate, passport or other identification acceptable to the notary public. In any case in which, because of the extreme sensitivity of the record sought to be seen or copied, the agency determines that the identification is not adequate, it may request the individual to submit additional proof of identification.

(2) If the request is made in person, the requester will submit proof of identification similar to that described in paragraph (b)(1) of this section, acceptable to the Council.

[41 FR 8343, Feb. 26, 1976]

§ 701.305 Procedures for requests for access to or disclosure of records pertaining to individuals.

(a) After being informed by the Council that a system of records contains a record pertaining to him or her, an individual may request the Council for access to or disclosure of that record to him or her in the manner described in this section. Each such request of a record or a copy of it will be made at the place specified in the notice describing that system of records, either in writing or in person. Requests may be made by agents, parents, or guardians of individuals as described in § 701.310(a) and (b).

(b) The request for access to or disclosure of a record should specifically identify the systems of records involved.

(c) The Council will attempt to affirm or deny a request within 10 working days from the time it receives the request or to inform the requester of the need for additional time, additional information, identification, or the tendering of fees (as specified in § 701.312), within 10 working days; except that if the request for access was not preceded by a notification request as provided in § 701.302, then the 10-day period will not begin until after such time as it has been determined that the record exists. If a request is complied with within 10 working days, no separate acknowledgement will be made.

[41 FR 8343, Feb. 26, 1976]

§ 701.306 Special procedure: Medical records.

(a) An individual requesting disclosure of a record which contains medical or psychological information may name a medical doctor or other person to act as his agent as described in § 701.310(a). Records containing medical or psychological information may be disclosed to that agent rather than to the individual at the individual's request.

(b) If the individual has not named a medical doctor as agent, the Council may determine, after consultation with a medical doctor, that disclosure of the information would have an adverse effect on the requester. The Council may then disclose that information to a medical doctor specified by the individual, rather than to that individual, either in person or by mail.

[40 FR 45676, Oct. 2, 1975, as amended at 41 FR 8343, Feb. 26, 1976]

§ 701.307 Request for correction or amendment to record.

(a) Any individual who has reviewed a record pertaining to him that was furnished to him under this subpart, may request the agency to correct or amend all or any part of that record.

(b) Each individual requesting a correction or amendment will send the request to the agency official who furnished the record to him.

(c) Each request for a correction or amendment of a record will contain the following information:

(1) The name of the individual requesting the correction or amendment;

(2) The name of the system of records in which the record sought to be corrected or amended is maintained;

(3) The location of that record in the system of records;

(4) A copy of the record sought to be corrected or amended or a description of that record;

(5) A statement of the material in the record requested to be corrected or amended;

(6) A statement of the specific wording of the correction or amendment sought; and

(7) A statement of the basis for the requested correction or amendment, including any material that the individual can furnish to substantiate the reasons for the correction or amendment sought.

§ 701.308 Council review of request for correction or amendment of record.

(a) Not later than 10 days (excluding Saturdays, Sundays, and legal holidays) after the receipt of the request for the correction or amendment of a record under § 701.307, the Council will acknowledge receipt of the request and inform the individual whether further information is required before the correction or amendment can be considered.

(b) The Council will promptly review the request and either make the requested correction or amendment or notify the individual of the initial adverse determination, including in the notification the reasons for the adverse determination and the appeal procedure provided by § 701.309.

(c) The Assistant Director, Program Coordination and Management, or his designee, will, after consulting with the General Counsel, or his designee, have the primary authority to make an initial adverse determination.

(d) The Council will make each requested correction or amendment to a record if that correction or amendment will correct anything that is not accurate, relevant, timely, or complete, within the record.

(e) If the requested correction or amendment to a record is agreed to by the Council, the Council will, within 30 working days: (1) Advise the individual; (2) correct the record accordingly; and (3) where an accounting of disclosures had been made (as provided in § 701.311), advise all previous recipients (including the individual) of the record of the fact that the correction was made and the substance of the correction.

[40 FR 45676, Oct. 2, 1975, as amended at 41 FR 8343, Feb. 26, 1976]

§ 701.309 Appeal of initial adverse determination.

(a) Any individual whose request for a correction or amendment, requested by him, to a record has been denied, in whole or in part, may appeal that decision to the Director of the Council.

(b) The appeal will be in writing and will:

(1) Name the individual making the appeal;

(2) Identify the record sought to be amended;

(3) Name the record system in which that record is contained;

(4) Contain a short statement describing the amendment sought; and

(5) State the name and location of the Council official who made the initial adverse determination.

(c) Not later than 30 days (excluding Saturdays, Sundays, and legal holidays) after the date on which the Council received the appeal, the Director will complete his review of the appeal and make a final decision thereon. However, for good cause shown, the Director may extend that 30 day period by not more than an additional 30 working days. If the Director so extends the period, he will promptly notify the individual requesting the review that the extension has been made and the reasons therefor.

(d) After review of an appeal request, the agency will send a written notice to the requester containing the following information:

(1) The decision and, if the denial is upheld, the reasons for the decision; and

(2) The specific civil remedies available to the requester as per section 2(g) of Pub. L. 93–579, as well as notice that additional remedies may be appropriate and available to enable the full exercise of the requester's rights at law.

(3) The right to file with the Council a concise statement setting forth the requester's reasons for disagreement with the Council's refusal to correct or amend the record.

[40 FR 45676, Oct. 2, 1975, as amended at 41 FR 8344, Feb. 26, 1976]

§ 701.310 Disclosure of record to person other than the individual to whom it pertains.

(a) Any individual who desires to have a record covered by this subpart disclosed to or mailed to a person other than that individual may authorize that person to act as his agent for that specific purpose. The authorization will be in writing, signed by the individual, and will be notarized. The agent will submit with the authorization proof of the individual's identity as required by § 701.304(b).

(b) The parent of any minor individual or the legal guardian of any individual who has been declared by a court of competent jurisdiction to be incompetent due to physical or mental incapacity or age, may act on behalf of that individual in any matter covered by this subpart. A parent or guardian who desires to act on behalf of such an individual will present suitable evidence of parentage or guardianship, by birth certificate, certified copy of a court order, or similar documents, and proof of the individual's identity in a form that complies with § 701.304(b).

(c) An individual to whom a record is to be disclosed in person pursuant to this subpart, may have a person of his own choosing accompany the individual when the record is disclosed.

§ 701.311 Accounting for disclosures.

(a) *Maintenance of an accounting.* (1) Where a record is disclosed to any person, or to another agency, under any of the provisions of § 701.303 except §§ 701.303(c)(1) and (2), an accounting will be made.

(2) The accounting will record (i) the date, nature, and purpose of each disclosure of a record to any person or to another agency and (ii) the name and address of the person or agency to whom the disclosure was made.

(3) Accountings prepared under this section will be maintained for at least five years or the life of the record, whichever is longer, after the disclosure for which the accounting is made.

(b) *Access to accounting.* (1) Except for accounting of disclosures made under §§ 701.303(c)(1) and (2), accountings of all disclosures of a record will be made available to the individual to whom the record relates at his or her request.

(2) An individual desiring access to accountings of disclosures of a record pertaining to him or her will submit his request by following the procedures of § 701.305.

(c) *Notification of disclosure.* When a record is disclosed pursuant to § 701.303(c)(11) as the result of the order of a court of competent jurisdiction, reasonable efforts will be made to notify the individual to whom the record pertains as soon as the order becomes a matter of public record.

[41 FR 8344, Feb. 26, 1976]

§ 701.312 Fees.

(a) The Council will not charge an individual for the costs of making a search for a record or the costs of reviewing the record. When the Council makes a copy of a record as a necessary part of the process of disclosing the record to an individual, the Council will not charge the individual for the cost of making that copy.

(b) If an individual requests the Council to furnish him with a copy of the record (when a copy has not otherwise been made as a necessary part of the process of disclosing the record to the individual), the Council will charge a maximum fee of $0.25 per page (maximum per page dimension of 8 × 14 inches) to the extent that the request exceeds $5.00 in cost to the Council. Requests not exceeding $5.00 in cost to the Council will be met without cost to the requester.

[40 FR 45676, Oct. 2, 1975. Redesignated at 41 FR 8344, Feb. 26, 1976]

§ 701.313 Penalties.

Title 18 U.S.C. Sec. 1001, Crimes and Criminal Procedures, makes it a criminal offense, subject to a maximum fine of $10,000 or imprisonment for not more than 5 years or both, to knowingly and willfully make or cause to be made any false or fraudulent statements or representations in any matter within the jurisdiction of any agency of the United States. Section 552a(i)(3) of the Privacy Act (5 U.S.C. 552a(i)(3)) makes it a misdemeanor, subject to a maximum fine of $5,000, to knowingly and willfully request or obtain any record concerning an individual under false pretenses. Section 552a(i)(1) and (2) of the Privacy Act (5 U.S.C. 552a(i)(1) and (2) provide penalties for violations by agency employees of the Privacy Act or regulations established thereunder.

[40 FR 45676, Oct. 2, 1975. Redesignated at 41 FR 8344, Feb. 26, 1976]

§ 701.314 Exemptions.

No Council records system or systems are exempted from the provisions of 5 U.S.C. 552a as permitted under certain conditions by 5 U.S.C. 552a(j) and (k).

[40 FR 45676, Oct. 2, 1975. Redesignated at 41 FR 8344, Feb. 26, 1976]

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